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ABSTRACT

Testimony from a hearing on the Reauthorization of the Juvenile Justice and Delinquency Prevention Act is presented in this document. Comments and a prepared statement by Representative Matthew G. Martinez open the document. Testimony from Representatives Harris W. Fawell and Dale E. Kildee is also included. Testimony and/or prepared statements from these witnesses are included: (1) Robert W. Sweet, Jr., Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice; (2) Gordon Raley, Executive Director, National Collaboration for Youth, Washington, D.C.; (3) Robbie Callaway, Director of Government Affairs, Boys and Girls Club of America, Rockville, Maryland; (4) Susan Morris, Chair, National Coalition of State Juvenile Justice Advisory Groups, Oklahoma City, Oklahoma; (5) W. Don Reader, Judge, Domestic Relations, Division of the Common Pleas Court, Stark County, Ohio, Canton, Ohio; (5) Michael Dermody, Chairman of the Board of Trustees, and Sheila Leslie, Children's Cabinet, Reno, Nevada; (6) J. Dean Lewis, District Judge, Fredericksburg, Virginia; (7) Pat McGrath, Superintendent, Du Page County Youth House, Wheaton, Illinois; and (8) Jane Peerson, Chief Probation Officer, 18th Judicial Circuit, Du Page County, Illinois. (ABL)

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HEARING ON THE REAUTHORIZATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

HEARING

BEFORE THE

SUBCOMMITTEE ON HUMAN RESOURCES

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

ONE HUNDRED SECOND CONGRESS

SECOND SESSION

HEARING HELD IN WASHINGTON, DC, APRIL 7, 1992

Serial No. 102-134

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HEARING ON THE REAUTHORIZATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

TUESDAY, APRIL 7, 1992

House of Representatives,
Subcommittee on Human Resources,
Committee on Education and Labor,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:35 a.m., Room 2261, Rayburn House Office Building, Hon. Matthew G. Martinez, Chairman, presiding.

Members present: Representatives Martinez, Kildee, and Fawell.

Staff present: Roger McClellan, staff director; Terry Deshler, legislative assistant; Leslie Harris, legislative assistant; Jennifer Amstutz, staff assistant; Lynn Selmser, minority professional staff member; and Lee Cowen, minority professional staff member.

Chairman Martinez. I would like to call the meeting to order. This is a meeting of the Subcommittee on Human Resources of the Committee on Education and Labor. I am joined today by my colleague Mr. Fawell.

As you know, this is a hearing on the Reauthorization of the Juvenile Justice and Delinquency Prevention Act. We have held a series of hearings all over the country in order to gain knowledge about what is happening out there in the communities on this very important issue and how we might improve the act as we reauthorize it.

It has been remarkable to me the number of programs that are struggling out there in various situations with our young people. It also is apparent to me that there is a lack of funding. I am not one of those people who believe that money will answer all the questions, but I do believe that there is a great shortfall of the funds necessary to do the job. When this act was passed in 1974, the Congress recognized that there was a shortage, not only of funds, but of adequate resources and technical expertise to deal with the situation. This whole act provided that for local communities.

Nineteen seventy four was a long time ago. We have not really increased funds for the program to the point that we should have over all those years. Although we have done some good, there is a lot more that needs to be done. But, the deinstitutionalization of young people has happened in most instances. We visited Omaha just a couple of weeks ago and found that Nebraska, which was one of the last States not in compliance with that mandate of the law, is now in compliance and had used all the funding they had received the previous year to accomplish deinstitutionalization. This year, they are devoting their funds mostly to prevention programs because they have a sense, the same as many of us on the committee, that prevention is where the answer really lies.

I have a statement which I would like to introduce into the record. I will conclude my remarks and ask Mr. Fawell if he has an opening statement.

[The prepared statement of Hon. Matthew G. Martinez follows:]

STATEMENT OF HON. MATTHEW G. MARTINEZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Good morning: I am really pleased to be here this morning for this, the seventh and final hearing in a series of hearings to consider the Reauthorization of the Juvenile Justice and Delinquency Prevention Act. The Act is scheduled to expire on September 30, 1992 and this subcommittee has been looking at a number of issues relating to reauthorization over the past year, including the original intent of the Act, its mandates, and the future of juvenile justice in America.

As you know by now, Congress enacted the Juvenile Justice and Delinquency Prevention Act in 1974 as a response to growing concerns through the 1950's and 1960's about the lack of adequate services, technical expertise and resources available to effectively provide justice and the necessary help to delinquent and at-risk juveniles. More and more pressure was put on a system that was already struggling to provide services for children, youth and families—as the very structure of the American family was rapidly changing to accommodate an even more rapidly changing workplace and society as a whole.

Over the past 18 years since the implementation of the Act, it has evolved to adjust to the changing needs of both the system and to the youth that we serve. Provision of services has gotten more sophisticated, but so have our youth

In looking at juvenile justice issues, the subcommittee has gone beyond the "beltway" to hold hearings from the west coast to the east coast—and in between, looking at both urban and rural issues and a variety of programs in an effort to determine what works and what doesn't; and at innovative new ideas that offer other alternatives and hope for youth.

One thing we have found is that the Act can make a difference in the lives of both rural and urban youth. We have heard testimony from people who made obvious the need for these Juvenile Justice and Delinquency Prevention programs; we have also seen a variety of innovative programs that have new ways of providing these much needed services. We can now look at how these programs are being implemented at the Federal level and what improvements need to be made so we can make the JJDPA effective as possible.

The original Act focused on the "need for coordinated juvenile delinquency efforts on the Federal, State and local levels to involve the nonprofit sector in these efforts," with three major premises: Juvenile crime must be reduced, the proportion of crimes committed by juveniles should be decreased, and methods of handling juveniles should be improved. The Act also created the Office of Juvenile Justice and Delinquency Prevention to administer it.

What has happened over the last 18 years? Have we met the original mandates of the Act? We have changed the methods of handling our youth in the juvenile justice system, have drastically reduced the number of juveniles in adult jails and have virtually removed all status offenders from locked facilities.

But let us not be lulled by the preliminary success of the Act.

Let's look at the facts. During the first part of the 1980's, youth arrests in the United States declined while adult arrests increased. But in the latter part of the 1980's, juvenile arrests increased at a greater pace than adults for violent crimes and a lesser rate than adults for property crimes. It appears that we are reaching a segment of our delinquent population while those hard-core, more violent youth are increasing in numbers.

Let me repeat this. The latter half of the 1980's, a time which coincides with first the Reagan administration then the Bush administration's total lack of commitment to juvenile justice; a time when, year in and year out, they virtually zeroed out the Office of Juvenile Justice and Delinquency Prevention budget; juvenile arrests increased at a greater rate than that of adults for violent crimes!

The 1989-90 arrest trends show an increase in the number of juvenile arrests for murder and nonnegligent manslaughter (26 percent), robbery (17 percent) and aggravated assault (16 percent)—alarming figures that indicate to me that we need to step up and broaden our efforts toward prevention and intervention.

In this time of being "tough on crime" we must be careful not to lose sight of our mission to break the cycle of delinquency! We want our streets, our homes and our families to be safe. But we cannot keep building more prisons. We must divert children at-risk before they are irretrievable. We must provide alternatives to violent anti-social behavior. This was the mandate of the original Act! We have started in that direction, but the commitment is waning. Funding for this program has dwindled from a high in 1978 of $100 million to the current appropriation of $76 million. What does that amount to in 1978 dollars? For the past 10 years the administration has virtually zeroed out OJJDP's budget only to have it restored by Congress.

As we have traveled holding these hearings, we have seen that the Act has fallen short in its mission to address the needs of our Nation's at-risk youth. The administration's lack of commitment has taken its toll.

This subcommittee is committed to addressing today's immediate issues concerning youth and will make the necessary structural changes to the JJDPA in this reauthorization cycle to ensure the future of our youth and I ask you all to help us in our quest. Thank you.

Mr. **Fawell**. Mr. Chairman, I am pleased to be present at the final hearing of our series of hearings on the reauthorization of the Juvenile Justice and Delinquency Prevention Act. I am especially pleased that we will be hearing from Pat McGrath and Jane Peerson, who operate an innovative detention program for youth in my congressional district back in Illinois.

In fact, I had the opportunity of speaking to these ladies just briefly this morning and getting a better comprehension. Although where they work is not too far from where I live, oftentimes we are not aware of some of the innovating things that are going on right in our own home area.

Although I have not been able to attend any of the field hearings, due, to a degree, to a primary election out there in Illinois that kept me awfully busy in a lot of areas, I had an opportunity to review most of the testimony provided by the witnesses at those field hearings. There appear to be several common threads.

For instance, it is clear that there are several important ingredients to successful programs, both with respect to juvenile justice and runaway youth: first, strong family involvement; and second, the ability to pull in resources from a variety of social service programs to help the family and the child.

I also noticed several areas where current law may need to be strengthened, particularly with respect to services for girls and the growing phenomenon of youth gangs.

I look forward to hearing from our witnesses today and to working with the subcommittee to make these programs even more effective than they are. The more effective we are at serving youth who are runaways or involved in the juvenile justice system, the fewer problems we will have down the road when they become adults. Thank you, Mr. Chairman.

Chairman **Martinez**. Thank you, Mr. Fawell.

Our first witness is Robert Sweet, Administrator of the Office of Juvenile Justice and Delinquency Prevention from the Department of Justice here in Washington, DC.

While Mr. Sweet is coming up, let me say that in some of the communications I have received from judges across the country, I have always heard, from them and from other people you have worked with, of your commitment to the issues with which you deal. For that, you have my gratitude.

We met briefly just a little earlier, and I was very impressed with the discussion we had. It is delightful to know that someone in the administration who is in charge of an office of such crucial need in this country today has the commitment you have.

Mr. Sweet, you can proceed in any way you like. We have your written testimony, and we will enter that into the record in its entirety.

STATEMENT OF HON. ROBERT W. SWEET, JR., ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, U.S. DEPARTMENT OF JUSTICE

Mr. **Sweet.** Thank you very much, Mr. Chairman. I appreciate the opportunity to speak to the subcommittee today, and I look forward to our continuing dialogue, as we exchange ideas at this subcommittee hearing. If it is okay, I would like to just summarize the testimony that I have submitted for the record. As you indicated, it has already been placed in the record.

Mr. Chairman, the Juvenile Justice and Delinquency Prevention Act has been in effect since 1974—as you indicated earlier, nearly 18 years. More than a billion dollars have been appropriated during that period of time, and we believe that a good deal of progress has been made in achieving the objectives of that legislation.

I have been Administrator of this office for just 2 years. In fact, the anniversary of the beginning of my tenure was yesterday, April 6th. They even had a party for me last year, not this year. I believe that we have been able to accomplish a good deal during that period of time. I would like to say here that I have a very fine staff at the Office of Juvenile Justice and Delinquency Prevention. We have some 55 members of the staff. I cannot say enough about their cooperation and willingness to follow leadership and help me in the task that I have had. It has been very encouraging to me, and I appreciate it very much.

I want to make a note here, if I could. Last Wednesday, Attorney General Barr spoke to the Governors' Conference on Juvenile Crime, Drugs, and Gangs in Wisconsin. I just want to note for the record something he said there, and this is a quote:

"The juvenile justice system needs to do two things better. First, it has to be more effective in intervening early enough to divert troubled youth away from a career of crime. Second, it has to become more effective in identifying and dealing decisively with the chronic offender who has embarked on a career of crime." It seems to me that those two matters are of primary importance to us as we discuss the reauthorization of this act.

The Office of Juvenile Justice and Delinquency Prevention has been advocating and developing programs during these past 18 years that support prevention, intervention, and the suppression of delinquency. The National Center for Juvenile Justice in Pittsburgh, the research arm for the National Center for Juvenile and Families Court Judges, found that juveniles under 18 accounted for 33 percent of all burglary, 30 percent of all larceny, 24 percent of all robbery, 15 percent of all rape, and 14 percent of all murder and non-negligent manslaughter. Between 1965 and 1989, the arrest rate of juveniles for murder almost tripled, and the rate of aggravated assault almost tripled.

Mr. Chairman, I know that you and this committee are concerned about the increasing levels of gang violence among our young people, and I share that concern. I look forward to working with you more closely to define the Federal role and find ways to support State and local efforts to prevent delinquency and suppress serious juvenile crime.

The juvenile justice system includes a complex network of public and private agencies and the traditional components of law enforcement, courts, and corrections. The Office of Juvenile Justice and Delinquency Prevention is responsible for working with each of these components, utilizing our limited resources to support and improve the entire system. I must tell you that is a very demanding task. I have had my work cut out for me as I have grappled with the various components of this system. I have tried to understand it all and made sure that our resources were targeted in a way that was effective and would bring about positive change.

Before we begin our exchange of questions here, Mr. Chairman, let me just touch on some of the most important program activities that we are currently engaged in at OJJDP. I pulled these out. There are many programs that I could talk about, but I would like to touch on just a few, if I might.

There are more than 130 active programs at the Office of Juvenile Justice and Delinquency Prevention that are currently being funded. These programs include prevention, research, training, model program development, the dissemination of information, and of course the major portion of our money through our formula grant program. We support such programs as Boys and Girls Clubs, with their targeted outreach program and the development of clubs in public housing.

We have developed training and technical assistance manuals for communities experiencing an increase in gang activities. These manuals were developed under a grant to the University of Chicago and are now ready for dissemination. This is under the direction of Dr. Irving Spergle.

We have launched a 5-year program through the National Council of Juvenile and Families Court Judges to improve national statistics on juvenile offenders and victimization that we believe will improve the juvenile justice decision making and information available to local and State officials.

We have joined with the National Institute of Corrections to provide needed training for juvenile correction and detention administrators.

We have established a gang information clearinghouse that will be on line this summer.

We have emphasized the training of teachers in correctional facilities and the most effective methods of teaching reading. I was in Acton, California, at a drug and alcohol rehabilitation center. They introduced a literacy program there and found that over the past year they have had an approximate 30 percent reduction in recidivism rates, simply by introducing this program. It is a California-sponsored program. In fact, Supervisor Antonovich was out there with me.

We have made an effort to join with other Federal agencies in coordinating our resources. We have joined with Housing and Urban Development in funding the Boys and Girls Clubs in public housing. We have joined with the Education Department, Health and Human Services, Commerce, and Labor in supporting the Cities and Schools program; the National Institute of Justice, the Bureau of Justice Assistance, the juvenile boot camp project, and the National Highway Safety Transportation Board at DOT, addressing the needs of youth involved with alcohol and drugs.

We have placed a high priority on evaluating our programs to determine those that are most effective. We have contracted with Caliber Associates to conduct a number of evaluations for us. In addition to that evaluation contract, we are evaluating some of our major programs, such as the Cities and Schools program, where we have a major investment, and the juvenile boot camp program.

We are in the process of expanding our gang policy training program and the serious habitual offender case management program to more communities. These communities are willing to assess their existing resources and design strategies to improve their juvenile justice system locally. We found that to be effective. I would particularly note a letter from Attorney General Morales in Texas, in which he was very complimentary about the work our office had done in that State. We are pleased to have been able to work with him.

Those are some of the highlights of what we are doing. They are certainly not 130 programs, but some of the highlights. Then let me address, if I could, the reauthorization of the OJJDP Act and the administration's position.

First, the administration plans to submit a formal proposal to reauthorize OJJDP in the near future. That is in the process of being cleared at this time. Second, the administration believes that considerable progress has been made in reaching the goals of the OJJDP Act through the formula grant program over the past 18 years, as indicated with deinstitutionalization, sight and sound separation, and bail removal. We feel we have made good progress toward those goals. Third, the administration firmly supports the goals of the mandates of the OJJDP Act, but we believe that the responsibility for further meeting these goals lies within State and local governments. Fourth, the administration will be asking that the OJJDP Act, including Part B, which is the formula grant authority, be reauthorized. Fifth, we believe that future flexibility is critical as we review juvenile justice programs and requirements. Sixth, at some point in the future, the department would be pleased to discuss with this subcommittee the focus and direction such a program might take. Consistent with this position, we will be requesting that the vehicle for the delivery of assistance to States, that is the authorization of the formula grants, be maintained.

The administration views the Federal role as one of focusing on the development of innovative programs to address the needs of high-risk youth that can be replicated in jurisdictions throughout the country. In support of this effort, the administration requested $7.5 million for OJJDP in its fiscal year 1993 budget. An additional $7.9 million was requested for the missing children's program, and the administration has proposed a $14.7 billion block grant program, consolidating 253 programs. That includes the balance of the funds currently appropriated for OJJDP.

Chairman MARTINEZ. Mr. Sweet, could I interrupt you just a minute? Would you start at the top? I was getting some information from my staff and I missed the beginning of the funding requests.

Mr. SWEET. Yes, I will repeat that, Mr. Chairman. I was just describing the position the administration has taken vis-a-vis funding. The administration views the Federal role as one of focusing on the development of innovative programs which address the needs of high-risk youth and can be replicated in jurisdictions throughout the country. To support this effort, the administration has requested at $7.5 million high-risk youth program for the office for fiscal year 1993.

Chairman MARTINEZ. That $7.5 million, is that coming out of the discretionary money?

Mr. SWEET. We would just be requesting a $7.5 million discretionary program.

Chairman MARTINEZ. Additional new money?

Mr. SWEET. No.

Chairman MARTINEZ. So it would come out of the discretionary grant.

Mr. SWEET. That is all we would be asking for: $7.5 million.

Chairman MARTINEZ. Which leads me to why I got concerned when you started going down the figures. There is a $50 million appropriation for the formula grant program now. It appears to us, as it has been recommended and what you just repeated there, that you are not asking for any money for the formula grant program.

Mr. SWEET. That is correct. We are asking for reauthorization of the authority, but we are not asking for any funds for the formula grant program at this time.

Chairman MARTINEZ. Wouldn't you, at some point in time, ask for the money?

Mr. SWEET. In another year we will come around, but for 1993, the budget request is $7.5 million. If I might, Mr. Chairman, the reason——

Chairman MARTINEZ. What happens to all of those programs that are operating under the formula grant program?

Mr. SWEET. It is our hope, Mr. Chairman, that if the President's budget is approved and the $14.7 billion in block grants to the States would support juvenile justice programs, many of which we have provided leadership on, but the States themselves would pick up those they think are most appropriate and most effective. That would be our hope.

Chairman MARTINEZ. Go ahead and continue, and we will get into the dialogue on that a little bit later.

Mr. SWEET. In addition to the $7.5 million high-risk youth program, we have requested a $7.9 million appropriation for the missing and exploited children's program. I indicated the recommendation that we have the block grant program for $14.7 billion which would include the balance of funds currently appropriated for our formula grant program at OJJDP.

The goal of this effort is to move the decision-making authority and the financial support closer to the program level and allow State and local governments greater flexibility so that programs which are currently on line would be targeted to the greatest areas of need.

The department's proposal will include several changes. Once we submit our proposals to you for reauthorization, it will include several changes to the functioning of OJJDP, which will permit the office to better serve the juvenile justice community. I would, however, like to defer discussion of the specific changes until a formal proposal has been approved by the department. At this point, I do not have one to discuss with you.

That concludes my summary remarks, Mr. Chairman, and I would be pleased to answer any questions you might have.

[The prepared statement of Hon. Robert W. Sweet follows:]

STATEMENT OF HON. ROBERT W. SWEET, JR., ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Mr. Chairman, I am pleased to have this opportunity to describe the important programs and accomplishments of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). As you know, Mr. Chairman, OJJDP was created by the Juvenile Justice and Delinquency Prevention Act of 1974 to provide direction, coordination, leadership, and resources to address the problems of juvenile crime and delinquency and to help improve the administration of State and local juvenile justice systems and the delivery of related youth services.

The juvenile justice system is most often described in terms of the traditional component parts of the criminal justice system—police, courts and corrections. While juvenile justice is an integral part of the criminal justice system, it also includes a complex network of public and private agencies—governmental and private sector based, and operating at the national, State and local levels—whose objective is to provide a broad range of services, including programs aimed at delinquency prevention and intervention, to juveniles and their families.

Since being named by President Bush to the position of OJJDP Administrator in April 1990, I have worked to ensure that the Office carries out its mission by researching problems and proposing solutions; creating, funding, and giving direction to programs to implement these solutions; facilitating the exchange of information among Federal, State, and local juvenile justice policymakers and practitioners; and supplying technical assistance, training, and other expertise to communities and organizations.

In addition, during these past 2 years, I have endeavored to develop a positive working relationship with the OJJDP staff, as well as professionals across the country at all levels of the juvenile justice system—from prevention to law enforcement to the courts to corrections to treatment—in both the public and the private sector. Under my direction, the overall objective of the Office has been to support and assist to the fullest extent possible those individuals who work day-to-day on the front lines in dealing with youth. They are dedicated professionals with many years of experience who care deeply about the issues for which OJJDP, the Congress, and the Nation are searching for solutions.

To support this objective, OJJDP develops priority areas, such as programs aimed at juvenile gangs, for the programs it supports. In this way, the effect of OJJDP programs can be maximized by targeting funds to areas of greatest need. Further, the OJJDP program planning process is closely coordinated with the Assistant Attorney General and the bureau components for the Office of Justice Programs, of which, as you know, Mr. Chairman, OJJDP is a part.

Through this coordination, OJJDP efforts are further maximized by complementing OJJDP programs with programs of OJP's other bureaus. For instance, Mr. Chairman, I already noted that juvenile gangs are a major concern of OJJDP. I should further note that gang programs are a major priority area for OJP and its other bureaus as well. Given this, OJJDP's efforts in this area are reinforced by OJP-wide efforts in this same area.

As an example of this, I would like to note that beginning in 1991, OJP began a series of National Field Studies on Gangs and Gang Violence, in which OJJDP and the other OJP bureaus participated. So far, we have held studies in Los Angeles, Dallas, and Chicago, and have been able to examine gang problems with hundreds of individuals who have dealt with every part of this problem. These studies will continue during 1992 and will give us a valuable collection of information on how to assist communities across the country deal with this growing phenomenon. I cite this simply as an example of how OJJDP, by working in close cooperation with OJP's other bureaus, can better serve the juvenile justice community.

The following will describe in more detail the objectives of OJJDP's recent priority areas and the programs OJJDP is supporting to meet these objectives.

Statistics

In 1990, OJJDP launched a 5-year program to improve national statistics on juvenile offenders and victimization, and to improve juvenile justice decisionmaking at the local and State levels through more effective use or development of information resources. Under this program, the National Center for Juvenile Justice is developing a major statistical data base which will include information from the Children in Custody, Juveniles Taken Into Custody, and all other appropriate data bases on juvenile delinquency. We expect that, by the end of 1992, this project will produce the first comprehensive report drawn from national juvenile justice statistics and current research covering all aspects of juvenile crime, at-risk behavior, and the justice system's response.

Training

As OJJDP Administrator, I have placed a major emphasis on training. OJJDP sponsors training through contracts with the Federal Law Enforcement Training Center, the National Institute of Corrections, Public Administration Services and other organizations. Over the past year, OJJDP has developed a major initiative to focus training on the specific needs of individual communities. Under this initiative, a community conducts a self-assessment of its current juvenile justice and juvenile services delivery systems and then works with OJJDP consultants to develop a strategy to address identified needs through training in such areas as gang suppression, prevention and control, child abuse investigations and prosecutions, case management, and procedures for dealing with serious, habitual juvenile offenders.

OJJDP supports an interagency agreement with the National Institute of Corrections (NIC) to provide training to juvenile corrections and detention administrators. During fiscal year 1992, the training will focus on correctional leadership development, strategic planning in juvenile corrections, managing violent/disruptive juvenile offenders, and training for new chief executive officers in juvenile corrections. The courses to be offered were identified by practitioners in the field of juvenile corrections during a national juvenile corrections training needs assessment process. This needs assessment was conducted through a joint effort of OJJDP and NIC.

Juvenile Court Training

OJJDP allocated $1,165,270 this fiscal year to the National Council of Juvenile and Families Court Judges (NCJFCJ) to provide training to the Nation's juvenile and family court judges. This project also includes a special component dealing with the judicial response to alcohol and other drug abuse among juveniles. An additional $392,422 was awarded to the research division of the NCJFCJ—the National Center for Juvenile Justice—to provide technical assistance to juvenile courts.

In addition, OJJDP is currently processing a grant application from NCJFCJ dealing with improving the juvenile and family courts' handling of child abuse and neglect cases. Under this project, NCJFCJ will develop national standards for juvenile and family courts, develop a comprehensive training curriculum, and design and test a model information system to enhance court monitoring. We expect to make this award within the next few weeks.

In fiscal year 1991, OJJDP printed and disseminated the "Desk Top Guide to Good Juvenile Probation Practice." This manual, a probation guide and an orientation for new juvenile probation officers, was sent to 14,000 juvenile probation officers throughout the Nation.

Gang Clearinghouse

In response to concern from the field about the spreading problem of gang-related crime, OJJDP has established a National Youth Gang Clearinghouse that will be on line by late Spring or early Summer. This project is being coordinated with the Administration for Children, Youth and Families, at its request, and will provide statistical and other information on gang prevention, intervention, and suppression; Federal, State, and local gang-related programs; and training and technical assistance opportunities.

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Juvenile Offender Education

OJJDP also is working to improve the level of education in juvenile facilities. Recent statistics show that 80 to 85 percent of all children in the juvenile justice system are illiterate. In late 1991, OJJDP provided funding to two organizations—the Mississippi University for Women in Columbus, Miss., and the Nellie Thomas Institute for Learning in Monterey, Calif.—to provide training in literacy skills to juvenile detention or correctional facility teachers of language arts, reading, or special education. The first training session under this program was conducted 2 weeks ago for teachers from Arkansas, Florida, and Tennessee.

Cooperative Efforts

OJJDP works to coordinate its program activities with the other OJP bureaus, as well as with other Federal agencies. Many of these cooperative efforts are developed in conjunction with the Coordinating Council on Juvenile Justice and Delinquency Prevention, comprised of representatives of 17 Federal agencies with responsibility for juvenile delinquency prevention or missing and exploited children programs.

For example, OJJDP is working with the U.S. Department of Housing and Urban Development (HUD) to support the establishment and operation of Boys and Girls Clubs in public housing developments. The clubs are designed to provide a wholesome alternative to high-risk youth who otherwise may become involved in gangs, drug use, or other delinquent activities.

In cooperation with HUD, the Department of Education, and the Chicago Housing Authority, OJJDP is supporting a "prep" school for elementary schoolchildren who live in the Ida B. Wells Housing Development in Chicago, Ill. The goal of the program is to increase these low-income, minority children's academic achievement and to deter future involvement in illegal activities.

A partnership involving OJJDP, the Departments of Commerce, Labor, Education, and Health and Human Services, and Burger King is supporting alternative schools for high-risk youth that provide a wide range of educational, vocational, and social service programs for students and their families. The objective of the program is to prevent high school dropouts and youth crime. The program is operating or being implemented in 309 schools in 107 communities in 19 States, serving almost 37,000 at-risk students and their families.

Minority Over-representation

In accordance with 1988 Amendments to the Juvenile Justice and Delinquency Prevention Act of 1974, OJJDP has launched several efforts addressing the issue of minority over-representation in the juvenile justice system. In August 1989, OJJDP issued regulations requiring States and Territories to report on whether minority youth were over-represented in secure facilities in their jurisdictions, and, if they were, to develop a comprehensive State strategy to address the problem. A total of 31 States and Territories provided information documenting over-representation, and, of these, only one State, Vermont, reported no apparent problem of over-representation of minority youth in security facilities.

Last year, OJJDP provided funding to five pilot sites and a technical assistance provider to assist jurisdictions in: identifying the extent and nature of over-representation of minorities in the juvenile justice system; developing program strategies and practical guidelines to respond to the problem; and evaluating the effectiveness of these approaches. This initiative is designed to produce model strategies that can be replicated in other jurisdictions.

Gangs and Drug Control

As I noted earlier, one of OJJDP's top priorities is to prevent and control illegal gang activity and drug use by juveniles. OJJDP is supporting a comprehensive gang prevention and intervention project in Portland, Ore., that focuses on 11- to 18-year-old youths involved in street gangs. The program provides these juveniles an opportunity to take part in a comprehensive delivery system providing innovative residential placements and community-based treatment designed to deter and suppress gang involvement and drug use.

Through the Boys and Girls Clubs of America, OJJDP is working to help local clubs prevent juvenile drug use and gang activity. Principal project components include "Smart Moves," a drug and alcohol abuse prevention program that also addresses teen pregnancy, and "Keep Smart," a program to develop parental skills and to improve parent-child communication.

OJJDP also supports a program, conducted by the American Probation and Parole Association, that is developing juvenile justice system strategies to identify, screen, and test youth for illegal drug use. Another project is developing a model drug testing program for juveniles in detention facilities. OJJDP will provide training and technical assistance to help local jurisdictions across the country implement these drug identification and testing programs.

Boot Camps

During the past year, OJJDP, in cooperation with two other OJP components—the National Institute of Justice and the Bureau of Justice Assistance—entered into a joint venture to fund and evaluate, during a 3-year period, three boot camp demonstration programs. The sites selected for these boot camp programs for juvenile offender demonstrations were Cleveland, Ohio; Mobile, Ala.; and Denver, Colo.

The programs are being implemented and operated by the juvenile courts as an intermediate sanction for less serious juvenile offenders. Planning and implementation occurred during the programs' first 6 months, and random assignment of youth into the program began this month.

Each of the programs are similarly designed and consist of four phases:

Diagnostic assessment, which includes both standardized tests and informal assessments;

Intensive training during a 90-day boot camp experience;

A 6-month community-based aftercare phase, which will be highly structured and will build on the strengths of the 90-day residential phase; and,

A final 3-month phase designed to provide direction and support for self-discipline and work experience as required for individual offenders. During this phase, the youth will be reintegrated into the appropriate public school, community college, vocational school, or GED program.

Missing and Exploited Children Program

As you know, Mr. Chairman, OJJDP is responsible for funding and coordinating activities on behalf of missing children. Ongoing activities under this program include the National Center for Missing and Exploited Children, which helps local jurisdictions investigate missing children cases and reunite children with their legal custodians; a network of 43 State missing children clearinghouses; support for nonprofit missing children organizations; research and demonstration programs; and training and technical assistance for law enforcement, judges, and prosecutors. OJJDP also is working to design an extensive child maltreatment investigative course for the military, and has been asked to help train tribal police and judges on Native American Indian lands.

In addition, planning is underway for the second National Incidence Study on Missing, Abducted, Runaway and Throwaway Children in America (NISMART). Findings from the first NISMART identified distinct and separate problems affecting five categories of children who are missing or displaced, including victims of family abductions.

Evaluation

OJJDP places a high priority on evaluation to provide objective assessments of the efficacy, cost-effectiveness, and impact of its programs implemented through discretionary grants, interagency agreements, contracts, and, in some cases, formula grants. OJJDP has awarded a contract to Caliber Associates to help conduct such evaluations. Evaluation findings, including strengths, weaknesses, and other assessment data, will be used by OJJDP staff in making policy and planning decisions. In addition, we expect that these evaluation findings will be of interest and use to Congress, other Federal agencies, and State and local juvenile justice and child service staffs.

Further, evaluation is a major priority of OJJDP's umbrella agency, the Office of Justice Programs (OJP), as its site monitoring of funded projects. Due to OJP efforts, OJP's National Institute of Justice has increased its efforts on program evaluation. In addition, project monitoring has been enhanced, based on new monitoring guidelines issued by the OJP Assistant Attorney General.

Formunla Grant Program

In addition to these efforts, as you know, Mr. Chairman, OJJDP provides formula grants to States and local governments to help them improve the juvenile justice system and address issues associated with preventing juvenile crime and delinquency. These funds assist State and local units of government in planning, developing, operating, coordinating, and evaluating juvenile justice programs.

To receive formula grants, State and local governments must comply with provisions of the Juvenile Justice and Delinquency Prevention (JJDP) Act which require the deinstitutionalization of status offenders, site and sound separation of juveniles and adults in detention and correctional facilities, and removal of juveniles from adult jails and lockups. OJJDP's State Relations and Assistance Division oversees the formula grant program, monitors States' compliance, and works with the States to help them achieve and maintain compliance with the statutory mandates.

In fiscal year 1991, 57 States and Territories were eligible to participate in the formula grant program. The State of South Dakota is not participating; however, South Dakota's allotment, pursuant to the provisions of Section 222(a) of the Act, was awarded to a local agency within the State for the purpose of encouraging the State to adopt legislation or administrative procedures to carry out the mandates of the Act.

Of the 56 participating States and Territories, 52 were in full compliance with the deinstitutionalization mandate; one newly-participating State is demonstrating progress; one State is out of compliance; and data is not yet due from two newly-participating States.

A total of 41 States and Territories are in full compliance with the separation mandate; 11 are showing progress; more data is needed for one State; one State is out of compliance; and data is not yet due from two States.

Thirty-eight States and Territories are in full compliance with the removal mandate. A waiver has been granted to six States, and OJJDP is reviewing waiver requests from an additional five States. Data is not yet due from two States; additional data is needed to determine the compliance of one State; and three States are out of compliance.

OJJDP is continuing to work with the States and Territories to help them come into compliance with all three of the mandates of the JJDP Act. However, Mr. Chairman, it can be said that considerable progress has been made towards achieving the major goals and objectives of this program.

Reauthorization

Mr. Chairman, as we focus on the reauthorization of the Office of Juvenile Justice and Delinquency Prevention, I would like to say that I am not only pleased with our past and current efforts to fulfill our mandates under the JJDP Act, but I am confident in our future ability to continue to fulfill those mandates. Further, Mr. Chairman, the Department of Justice is planning to submit to the Congress in the near future, a formal proposal regarding the reauthorization of OJJDP.

However, as we approach reauthorization, the area which will no doubt be the focus of greatest discussion will be the status of OJJDP's formula grant program, as authorized under Part B of Title II of the JJDP Act. As you know, Mr. Chairman, for the past 2 years, the administration has requested no funding for the OJJDP formula grant program. While the administration firmly supports the goals of the mandates of the JJDP Act, its position is that the Federal Government has already provided sufficient funding to bring the majority of States into compliance with the deinstitutionalization, separation, and removal mandates, and that the responsibility for further meeting these goals lies within State and local governments.

While the Department of Justice supports the position of the Office of Management and Budget in requesting zero funding for OJJDP formula grants, the Department *is* requesting reauthorization of the Title II Part B formula grant program. Consistent with OMB's position, however, we are not requesting a specific level of funding.

The Justice Department agrees that considerable progress has been made in reaching the goals of the JJDP Act formula grant mandates. However, we further believe that future flexibility is critical as we review juvenile justice programs and requirements. At some point in the future, the Department would be pleased to discuss with this subcommittee the focus and direction such a program might take. Consistent with this, we will be requesting that the vehicle for the delivery of assistance to the States, that is, the authorization for formula grants, be maintained. But until new goals and objectives are agreed to, we will withhold any request for an authorization of funding.

The administration views the Federal role as one of focusing on developing innovative programs to address the needs of high-risk youth that can be replicated in jurisdictions throughout the country. To support this effort, the administration requested $7.5 million for OJJDP in its fiscal year 1993 budget. An additional $7.9 million was requested for the Missing Children's Program, and the administration has proposed $14.7 billion for a block grant program consolidating 253 programs that includes the balance of funds currently appropriated for the Office of Juvenile Justice and Delinquency Prevention. The goal of this effort is to move decisionmaking authority and the financial support closer to the program level, and allow State and local governments greater flexibility so that programs are targeted to the greatest areas of need.

Additionally, Mr. Chairman, the Department's proposal will include several changes to the functioning of OJJDP to permit the Office to better serve the juvenile justice community. I would, however, like to defer discussion of these changes until a formal proposal is submitted.

This concludes my prepared testimony, Mr. Chairman. I would be pleased now to answer any questions you or Members of the subcommittee may have.

Chairman MARTINEZ. Thank you, Mr. Sweet. I am convinced, from the communications I have received, that your commitment is there. Your commitment. I am not really that sure that the administration's commitment is there. As we keep our dialogue going, we might discuss some of these other things.

I really do not want to get too heavy into the fact that, to me, there is a certain hypocrisy when the administration says, "We are for this program, we are for the reauthorization, but we cannot give you any money for it." Like I said earlier, you put your money where your mouth is; that is what makes the difference.

In all of the places where we have been, we have heard of a great shortfall of moneys over the past years, not an increase but a shortfall. The demand is getting greater, and the amounts of money being appropriated are smaller. I know that there is a theory of doing more for less, but you have to realize, when you try to apply that theory, that there is no room to do that. In most cases, in most of these programs here, they already have been doing more for less. They are doing so much more that they cannot do any more for less. They are going to need some support, and we are going to have to make that commitment.

The last two administrations have asked for zero funding. They have done it again. Fortunately, those people in Congress who make that decision do provide the funds. I would think that if the administration wants to be on board as trying to do something about these real problems we have out there, they would be the ones to be initiating not only full funding but more funding. When I say "full funding," I do not mean full funding, because we never reach all of the eligible population with even the $50 million. When I said that, I meant in terms of what we at least received before.

I do not want to put you on the spot and say that you in your heart of hearts know, because you have visited out there, that there is more funding needed. You have to present the administration's line.

The other thing is, I do not think there has been the kind of focus that should have been on your office, with the authority to you as the chief person there. I know you have to report to the Assistant Attorney General, and there has to be some friction there. When you are the one who is actively administering the programs in the field, and you want to make a decision, you cannot make that decision for yourself; somebody else over you is going to make that decision for you.

The problem is that we have to start focusing on this program to a greater extent than we have. We have to stop giving it lip service and stop making beautiful speeches everywhere we go, without any real intent behind those speeches. A speech can only go so far. It cannot feed the soul. I want, at some point of time later, to talk to you about the funding idea.

Mr. **Sweet**. I would be pleased to do that, Mr. Chairman.

Chairman **Martinez**. One thing I noticed in this program, unlike in so many other programs, you have no regional offices. Even Civil Rights has regional offices. You have no people out there to really keep you in touch with what is happening first hand. You are centrally located right here in Washington, right?

Mr. **Sweet**. Yes. That is correct.

Chairman **Martinez**. It is very difficult way to operate when you are dealing with a problem of such magnitude. I think I shared with you earlier about where we visited in Oregon, where we saw pictures of wives of gang members who were gang members too, who were raising children at 2 or 3 years of age, already putting real guns in their hands, showing them how to point the guns. Can you imagine what kind of vicious gang member that will be if he starts at 2 or 3 years old? I would not be worried if they were teaching them to play golf, because maybe he could become another Jack Nicklaus or Lee Trevino. The idea is, they are not teaching them to play golf; they are teaching them to use weapons. That is dangerous.

I do not know if it is because too many members of Congress or members of the administration have not seen this first hand that they are not alarmed, but I am alarmed. I have seen it, and it is growing.

Let me tell you something else that we discovered. When we go out there—and you have, too; I know you have. When you go out there, you find out that it is not just the urban centers any more that are the problem. A lot of these gangs are smart, and they are moving out to the suburbs, and they are moving out to small, rural communities that they can use as a base of operations because they are safer there.

The Bloods and the Crips originated in Watts, south central Los Angeles. Now you go to Oregon and you go to Nebraska and you find Bloods and Crips. The amazing thing about it is, you do not only find black Bloods and Crips now, you find white Bloods and Crips now. That ought to send somebody some danger signals. For the administration to ask for zero funding for those programs——

It is like the one that we visited in Nebraska, where the young people in Boys Town, many of them are very disturbed. A lot of those kids have simply run out of people to love them, and they end up there. Some of those young people in there—and they will not tell you who they are—are actually there because they killed somebody. You would look at someone and think "that is a pretty hard case; he belongs in a hard core detention center." No, because each one of these young people, and they have had a history of this, has turned out to be real worthwhile human beings afterwards.

We met with a couple who have been out of Boys Town for a while—they are alumni—who are outstanding business and community leaders. There is a jacket in there of a high-ranking naval officer, manning a ship that is important in our history, who is an alumnus of Boys Town. How does that one village turn out so many successful people? There is a real success story there.

Mr. **Sweet**. Yes, there is.

Chairman **Martinez**. Those people have told us that they did depend on some of the Federal funding for their program. They do not just do it through the trust fund they have and the moneys they are able to raise. Their funding has fallen short by $57,000, but they are going to continue somehow to do the program the way they have been doing it.

Some can take up the slack like that, but there are a lot of communities out there. Omaha itself, as a State, does not have enough money to even have one full-time person in that office for them, not one. It is because, with the percentage they get—what is it, 3 percent out of the total money they get, $350,000—there is not adequate money to provide for one person to coordinate the services. We have to do something about giving them more flexibility in administration. There are a lot of States that receive the minimum amount.

Coming back to the question I started to ask you, I am not sure how you can operate. I know there is a limited budget, but even your office is going to need a little more stature and a little more budget so that you can go out and reach out into these regions. I do not see how you can possibly do the job that is going to be required to be done by 1994, 1995, or 1996, centrally out of Washington. Can you tell me how you are going to be able to accomplish any goals?

Mr. **Sweet**. There are other programs, Mr. Chairman, that deal with some of the same issues that we have. For example, in Housing and Urban Development, they have an appropriation of $140 million for their anti-drug program for youth. I do not know exactly what their budget is, but the Administration for Children, Youth, and Families has a major gang prevention program. We do what we can to coordinate and cooperate with them. It is our position that we would continue to exercise leadership and build on these programs.

Chairman **Martinez**. That is $11 million over-budget at HHS, which is not a great deal of money. Even at that, you cannot direct those other programs; you can only offer leadership, you can only offer coordination. At some point of time, all these programs have to come under one umbrella, with somebody having the authority to direct these funds and the way these programs are run. Do you have any comment on that?

Mr. **Sweet**. The position of the administration is that we would continue to exercise leadership whenever possible. We recognize that there is a growing concern out there. We are hopeful that if the administration's block grant proposal is passed, there may be even more money available to States to concentrate on some of these very important areas. We recognize that they are concerns and ones that we all share.

Chairman **Martinez**. My personal thought is that you are working under a lot of constraints here, and you are to be admired for it. As I said, from what I have heard, you have been doing a great job.

Mr. Fawell?

Mr. **Fawell**. Thank you, Mr. Chairman. Much of what you have said I agree with. It is a frustrating thing. Having just returned from the wars of Illinois, in a campaign, often I have heard myself saying, "For 23 years in a row, Congress has not balanced a budget." We have roughly a $3.7 trillion national debt. We are paying $300 billion per year just to pay interest on the national debt. In fiscal year 1992, we will be adding one-half a trillion dollars more in new debt, a half trillion dollars that our children will have to pay off. I well recognize that at least before we increase spending, we ought to look long and hard at what we are doing.

As I see here, there is a drop from $76 million down to $7.5. Since 1974, you have quite correctly pointed out, and I am assuming that you folks are doing a valiant job, trying to do all you can with what you have, which has not been very much. Since 1974, when you look at all the statistics, it shows that the children are the ones who have been basically bypassed, more than any other group I think in this Nation. The seniors have made out fairly well in the last 20 years. A lot of other groups have. When you look at the statistics, with drugs and the numbers of murders and rapes and aggravated assaults, we all know that in the area of our young people, whether it is in the area of education or in HUD or in any number of agencies, this is one area where we have drastically dropped the ball.

These people have nobody to represent them. All the rest of the people looking for Federal funds seemingly have an endless number of lobbyists who are here making sure they get their share. I do not have any answer at this point, and I empathize with the plight that you carry on your shoulders right now. You have to deliver the message that there is going to be a big drop here. I do not think Congress is going to abide by your message. I think the authorization is certainly going to be at least what it was before, if not an increase. What the appropriation will be, however, as the chairman and I both know, is going to be the central point. I, for one, would be more than glad to suggest to them that this is one area where we just cannot continue to turn our heads in regard to what is happening to the youth who do not have a lot going for them.

What a tremendously high percentage of our youthful offenders are illiterate. They have not been able to make it through the school system. They are having all kinds of problems. It affects the minorities much more so than others, but it certainly does not fail to touch everyone. It is a very important area.

I do not have a question to put to you, except to feel for you as you try to explain the circumstances that exist. I, for one, am going to be talking here about greater authorizations and, I think, some increased appropriations that we have to have. We just cannot, in this area, choose to take these big cuts here and then let an awful lot of other programs, that at least could take no increases and still survive very well, take sizable increases. That is all I have. I thank you for testifying. I know it is not an easy burden to come up here.

Mr. SWEET. Thank you for your comment. I appreciate that.

Chairman MARTINEZ. Thank you, Mr. Fawell. Like Mr. Fawell, we do not like the message, but we are not going to kill the messenger.

I agree with what Mr. Fawell just said, about the situation not being only with minorities. In Omaha, Nebraska, at the outreach program from Boys Town that we visited in Grand Island, there were only about three minorities in that whole group of young people. A couple of the most tragic stories that we heard were not from minorities at all.

There was a young boy, 11 years old, and his dad was physically beating him, almost daily, with his fists until the young boy figured, "There has to be a better way. I don't want to keep getting beaten this way." The young kid had never hot wired a car, never stolen a car, but he figured out how to do it because of his desperation to get away. He stole that car and started down the highway. He did not know where he was going, and he did not know how to drive a car. This fact was obvious to the highway patrol, and they picked him up and put him in this Grand Island outreach program from Boys Town. Now that the authorities have been notified and the investigation has taken place, the boy is going to be placed in a foster home.

What is really interesting about the Boys Town outreach program is that they train the foster parents to be good foster parents. In fact, I have to congratulate Omaha. They took the lead and required that foster parents get training.

Another thing we have heard throughout the country is the great abuse that takes place in foster homes. So many people are not taking in children because of a love of children but a love of money. So that becomes a real problem. Many States do not have any requirements at all. All they are looking for is a place to bed that child, and it is a shame.

I agree with Mr. Fawell, there are some things we have to do. We are just now formulating the ideas that we hope will give your office much more authority and a better ability to deal with juvenile delinquency. We do not know whether the administration will support us or not. So many times we are traditionalists around this place: we like things the way they were done; if something has been done one way for the last 100 years, we want to continue to do them, whether they work or not that way. That is the frustration that is out there with the general public.

With us we have Mr. Kildee, who was chairman of this committee. Mr. Kildee?

Mr. KILDEE. Thank you, Mr. Chairman. I served not only on this committee and was formally chairman of the subcommittee, but I am also on the budget committee. The budget committee gives us this grand view of all the priorities of spending in the government. It is for that reason I supported the Conyers bill to bring the walls down this year.

There is no question in my mind that children in this country are in greater danger from internal things in this country than they are from any external aggressor. We are still building B-2 bombers; I do not know why in the hell we are building B-2 bombers. We have kids out there that really need protection. One of the reasons is that the Pentagon has a built-in PR advocacy system. It is built in a great deal by some of the arms merchants who have a good relationship with the Pentagon.

I am really upset. I very rarely use the word "hell," which I noted I just used. I know our budget priorities are wrong. What we need in the Office of Juvenile Justice and Delinquency Prevention is the same type of advocate that Cap Weinberger was for the Pentagon. He slapped budget directors around: "Don't tell me what to ask." I think we should have some people for kids who are going to tell Darman, "Go take a flying leap. I know what I need for kids." Cheney does that and Weinberger did that.

We need advocates within the agencies, when Darman and those people come over and tell you what you can or cannot do, to tell them: "No. This is what we need." Cheney is a unashamed advocate for defense; Weinberger had even less shame. We need that. I really think you should tell Darman, "You're totally wrong. You are absolutely wrong. You have these priorities so screwed up around here, and we cannot serve kids this way."

All during the Cold War, how many kids died of communism? Not one kid in my town died of communism. A lot got killed in gang wars, drugs, sometimes by their own parents. We are spending all that money because we were fighting communism, and not one kid in my district ever died of communism. We need some advocates to tell OMB which way is up. I really get angry.

You have a tough job, but I tell you, people in the Office of Juvenile Justice and Delinquency Prevention should go down, flags a'flying, horns a'blowing, and tell Darman to get back to his end of the Avenue. You should tell us what you need for children. I cannot understand why we did not bring the walls down this year. We shelter so much money for defense. We are trying to get a few dollars over for domestic discretionary programs, and we cannot do it. Good luck.

Mr. **Sweet**. Thank you, sir.

Chairman **Martinez**. I would like to reemphasize the fact that our children are dying. I think that is a message you ought to take to the people you have back there. People do not tend to think that the situation is as bad as it really is.

I know that a lot of my colleagues repeat the same thing and that it gets to be real rhetoric. But I must reiterate. We can expend money to bail out the savings and loans and spend money on the Gulf War like we did—not that those things did not need to be done; they needed to be done—but also we need to save the children of this country. That needs to be done. So I wish you would take that message back with you.

I appreciate your willingness to come in and testify before us. Like I say, a lot of the statistics you gave us, you ought to take back to the administration. The tripling of the various categories of juvenile crime that you mentioned ought to be a real signal. If there is anything we can do to help you carry your message, we will be more than happy to. We will be carrying it from here. If you carry it from there, maybe between us we can do some good and get the administration not to zero fund the formula grant program but to double it.

Mr. **Sweet**. Mr. Chairman, I thank you very much.

Chairman **Martinez**. At this time, before I proceed, I would like to ask, Mr. Kildee, if you have an opening statement you would like to make at this time or submit for the record?

Mr. **Kildee**. No. Just get what I said as an opening statement.

Chairman **Martinez**. Very good.

Our next panel is Gordon Raley, Executive Director, National Collaboration for Youth, Washington, DC; Robbie Callaway, Director of Government Affairs, Boys and Girls Club of America, Rockville, Maryland; Susan Morris, Chair, National Coalition of State Juvenile Justice Advisory Groups, Oklahoma City, Oklahoma; and Judge W. Don Reader, Domestic Relations Division of the Common Pleas Court, Stark County, Ohio, Canton, Ohio.

Mr. Raley, we will start with you. Let me advise you that your written statement will be in the record in its entirety, and you can proceed any way you like.

STATEMENTS OF GORDON RALEY, EXECUTIVE DIRECTOR, NATIONAL COLLABORATION FOR YOUTH, WASHINGTON, DC; ROBBIE CALLAWAY, DIRECTOR OF GOVERNMENT AFFAIRS, BOYS AND GIRLS CLUB OF AMERICA, ROCKVILLE, MD; SUSAN MORRIS, CHAIR, NATIONAL COALITION OF STATE JUVENILE JUSTICE ADVISORY GROUPS, OKLAHOMA CITY, OK; AND HON. W. DON READER, JUDGE, DOMESTIC RELATIONS DIVISION OF THE COMMON PLEAS COURT, STARK COUNTY, OHIO, CANTON, OH

Mr. **Raley**. Mr. Chairman, thank you. With that in mind, let me use the submitted record, and then I will summarize that statement and make a few brief remarks.

The National Collaboration for Youth is a group of about 16 of the larger youth-serving organizations in the country. I think ones that everyone on the committee would recognize are groups like the Boy Scouts, the Girl Scouts, YWCA, YMCA, Boys and Girls Clubs of America, Child Welfare League, the National Network of Runaway and Homeless Youth, and many others. I will not try to list them all.

Chairman **Martinez**. Gordon, let me interrupt you for a minute and give a little bit of trivia. You at one time were the staff director on this subcommittee?

Mr. **Raley**. That is exactly right.

Chairman **Martinez**. In what years?

Mr. **Raley**. In 1977 through 1985.

Chairman **Martinez**. So you have some history.

Mr. **Raley**. It is good to be back.

The statement that I have prepared today is based on a policy statement that was reviewed by each of the executive directors of these organizations. I might mention that currently the Collaboration receives no Federal grants nor has any applications for Federal grants. We are basically supported by the dues of our members.

Let me also thank the members of this subcommittee especially. I think the spirit, commitment, caring, and concern that you, as individuals, have shown in opening this process in a broad way to the public is to be strongly complimented. That is especially noteworthy because, as Mr. Fawell mentioned, we have certainly bypassed children in the budget process and in priorities during the last 10 to 15 years. Most especially, we have bypassed older adolescents. Most certainly especially, we have bypassed troubled older adolescents.

When we look at young children, especially those who are poor, those who have problems, we can almost easily identify with the cute 3-, 4-, or 5-year-old. Adolescents, teenagers, get to be a little more of a problem for some of us, especially those of us who have some at home. When you start talking about teenagers who cause trouble, who are sometimes the source of fear by the community, it takes a certain amount of legislative courage to work on and talk about those issues. There is not always a lot of payback. From working on the committee, I know that the parents of those Head Start kids care about that program and let you know how much they care about that program. The parents of a lot of our kids are not likely going to give you pats on the back or any political credit for the work you have done. So on behalf of the organizations that I am representing today, let me again say thank you to all of you.

Let me briefly summarize the points that I would like to make on behalf of the Collaboration. First of all, we think it is very important during this process that we go back to having an independent office for OJJDP. Because of that history that I bring, I would just mention that in 1974, when the act was first created, it was indeed a part of the Law Enforcement Assistance Administration and reported to the Administrator of LEAA. In 1980, we changed that. It was largely because we recognized that there needed to be a direct relationship. If indeed we wanted the Administrator of the office of OJJDP to be an advocate, that advocate needed to have a direct relationship with the Attorney General. We found that was not happening in 1980, and we changed that. We made the office separate and tended to make it a line item within the budget, separate from the Office of Justice programs.

In 1988, probably for a number of reasons, I think that was changed. There was probably some wisdom in that at the time. I think already we are beginning to see a slipping back in some of the duties that I think Congress intends for the Administrator to play. You must remember, the Administrator is appointed by the President. He is supposed to be experienced in juvenile justice matters, and he is confirmed by the Senate. There is no reason why that Administrator should not report directly to the Attorney General. The only reason I can think of from the Justice Department's perspective is that the Attorney General has so many things to do.

All I can say is, first of all on behalf of our children, the Attorney General cannot afford to have too many things to do. Moreover, although we have made some progress, the amount of serious crime committed by juveniles in 1974, when we started this program, was about 43 percent. That proportion is down to around 28 percent today. Still, almost one-third of the serious crime in this country is committed by young people under the age of 18. The Attorney General, for business reasons, cannot afford to be without OJJDP.

The second point I think is one which I probably need to spend the least time on, because I certainly sense a sensitivity to it on the part of this committee, and that is the authorization level. The Juvenile Justice and Delinquency Prevention Act is rather unique in that it truly leverages resources at the State and local level. This was truly set up as a Federal, State, and local partnership. Perhaps we ought to say a local, State, and Federal partnership, because the real emphasis in this project is down at the local level. That is where the action occurs. That is where the programs happen.

We talked about carrots and sticks. This is really an ironic program in the sense that there is a carrot and a stick: the carrot is the money that is appropriated, the stick is that we take that carrot away if certain policy changes are not made. Perhaps we use that metaphor too much. I would prefer to talk more about leverage. If you have a fulcrum and a stick long enough, you can move the world.

We have used this money to leverage a lot of change, and that change has done some good. Serious crime, even the rates of serious crime, to make sure that we are accounting for populations, has gone down, both for property crime and for serious crime for juveniles since 1974. Since 1981, there have been some causes for concern, some shifts upward. Since 1981, according to the Uniform Crime Report, violent crime by juveniles has gone up by 29 percent. Let me just mention, so we do not get too alarmed or start suggesting that the act is not working, that during that same period of time, serious crime by adults has gone up 50 percent. Yet, there are some issues that we need to work with, with the act.

Even with the issue of status offenders, I notice that over the period since 1981, the arrest of runaways is now going up. That is a trend that had not been so, even as recently as 1985. I think this last year we arrested 100,000 runaways under age 18 in this country. Jail removal and the separation of kids from adults are things where there is broad bipartisan interest, and this act has been based on that bipartisan concern. Without that leverage, it becomes harder at the State and local level to justify making those policy changes.

This act started in 1974 with an authorization of $25 million. If we look at the buying power of 1975 dollars today, the $75 million we get is probably not worth much more than the $25 million we started with. I think in 1978, it was up to $100 million, which is more reasonable. If we look in real terms, we have allowed that lever, that stick I talked about, to be whittled away by inflation. The real need is for an authorization level of about $250 million, just to be where we were back in 1978. I would certainly ask this subcommittee to move in that direction. I know that the appropriations are not the fault of this subcommittee, but you can certainly send a strong message to the Congress that this is an important area.

In short, we also would like you to retain the mandates of the act, regardless of what type of flexible approach might be taken. The removal of status offenders, the separation of kids from adults, the removal of children from adult jails and lockups, are important. Moreover, they make a lot of sense. They are important to those kids because of what happens to them in those institutions. But if we want to look at budget priorities and deficits, we probably all need to recall that taxes—be they Federal, State, or local—are still painful to the folks paying them.

There is probably nothing more un-cost-effective in this country than secure facilities. What the Juvenile Justice Act has done is promote a series of non-secure community-based alternatives around this country which cost far less than institutionalizing a youngster for a year. The cost, at least in New York, I believe now is approaching $40,000 to $50,000 a year. We can almost send a family of kids to Harvard for that now, not just one. They make sense, they are working, and they need to be continued, but we need to have the authorization to go with that.

We hope you will continue citizen input in the act. The State advisory groups have done an excellent job. They sort of provide the means by which citizens can look over the shoulder of the bureaucrats—and I mean that in a kind way. Any administrative person needs the citizens out there, regular voters, folks who are interested in the topic, looking over their shoulders and from time to time advising the Congress and the President.

We hope that you will reemphasize the advanced techniques portion of the Act. I made some very specific recommendations, which I will not mention at this point. I must just mention the introductory sentence. It has been about 8 years since I was with the subcommittee. I am certainly at fault for some of it. The introductory sentence to the advanced techniques section is now 21 lines long. The advanced techniques section, with that sentence, includes almost everything.

On Lake Wobegon, we talked about every kid being above average. We have to be careful that we do not start having any program that is funded by this program being considered advanced. I think we want to look at what has worked over the last 20 years and make some improvements. Especially we would urge you to increase incentives for community-based alternatives.

We would ask you to sponsor community collaboration efforts. The average child involved in the juvenile justice system may appear before six or seven different entities, between the child welfare department, the courts, the police, and private nonprofit groups like many of our agencies. They all need to be involved, along with churches and business groups, in dealing with this problem.

We ask that you expand education programs, helping youngsters see the value of education, providing some direct education. We also hope that you would pay some attention to youth development, things that are focused with delinquent youth, helping them obtain the things they need to succeed.

Last of all, we ask that you would look at evaluation. We think evaluation should be required for the Title 2 programs. Currently, evaluation is worded in such a way that it says the Administrator is authorized to evaluate the programs of Title 2. We think it should be that the Administrator should be required or shall evaluate those programs.

We also would like to see some assessments made. There is language now that is permissive and not mandatory. We need to really look at the issue of different treatment based on sex, race, and family income. We tend to collect statistics that way. I think they are easy. Certainly, we know that with young women, we are beginning to sense that young women get treated differently and to their detriment in terms of resources that are available.

I might mention, by the way, that since 1981, according to the Uniform Crime Report, serious crime by young women has gone up by 10 percent while serious crime by young men has gone down by 4 percent. In other words, we seem to have a problem that is developing among young women, which is one we are not looking at, that needs to be examined by the Administrator. There needs to be responsibility for that.

I think family income is important as well. We currently do not have any data that measure delinquent participation by family income, collected on a consistent basis. That leads us sometimes to look at racial or ethnic minorities as easy ways to collect data. Sometimes that is important, especially where treatment is concerned. I do think we do have minorities overrepresented in a lot of our more secure correctional facilities, and I think you have heard testimony on that during the process. There is a tendency in the public to start looking at that saying, "Okay. I see. Maybe the problem is with those ethnic and racial minorities," and we start to label them. With that in mind, I think family income might be additional information that would be helpful to us in the office, and the National Institute should require that.

Mr. Chairman, thank you for your time. Again, let me thank you for this opportunity to testify. Might I just mention that the groups I represent look forward to working with the subcommittee in any way we can be helpful.

[The prepared statement of Gordon A. Raley follows:]

GORDON A. RALEY

Mr. Chairman and Members of the Committee:

My name is Gordon Raley and I am Executive Director of the National Assembly of National Voluntary Health and Social Welfare Organizations and its affinity group the National Collaboration for Youth. Today I am testifying on behalf of the National Collaboration for Youth based on a policy statement which has been reviewed by the executives of each of our member organizations.

The National Collaboration for Youth is a coalition of sixteen of the larger national youth serving organizations in the country who are each members of the National Assembly. Organized in 1973 around the issues of delinquency prevention and the role of voluntary youth serving agencies relative to passage of the Juvenile Justice and Delinquency Act of 1974, NCY has become an active voice nationally for prevention services and positive youth development.

Collectively, our organizations serve an estimate 30 million young people each year. They are not served because they are delinquent, poor, handicapped, disadvantaged, deprived, or disturbed or because they wear any of the other labels often required of the young to get service in this country. In Girl Scouts and Boy Scouts, Camp Fire, Boys and Girls Clubs, Girls, Inc., the YMCA or YWCA, youth are not served because they are problems: they are served because they are youth. Our reason for service is not so much because of what we can stop young people from doing but rather what we can help young people become.

Yet we also are aware that the needs of certain groups of young people require special attention, especially insofar as the Juvenile Justice and Delinquency Prevention Act is concerned. In simple summary these are: (1) delinquent youth, especially those committing violent offenses, as well as those at-risk of delinquency; (2) young people who are challenged by poverty and racial and ethnic discrimination, who are over-represented in our juvenile correction facilities; and (3) girls and young women whose needs have not been addressed equitably.

NCY agencies are well aware of the commitment of this subcommittee and its chairman to the issue of juvenile delinquency and its prevention as well as to a number of other domestic programs crucial to youth development, such as the Job Training Partnership Act. Mr. Chairman, you and your staff are to be commended for the spirit in which you have provided opportunities to express ideas regarding the continuation of the important piece of legislation you consider today.

The Juvenile Justice and Delinquency Prevention Act is indeed rather a landmark accomplishment. While juvenile justice legislation was one of the first pieces of domestic law to provided assistance directly to states and localities, dating back to 1961 under the authorship Carl Perkins, the late chair of this committee, it was changed and reorganized every several years or so up until 1974. The Juvenile Justice Act, passed with strong bipartisan consensus, has been around now for more than 15 years and well stood the test of time. It

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has provided rich dividends to American taxpayers as well as to the children and youth it was intended to serve.

Much progress has been made since 1974. At that time, according to the FBI Uniform Crime Report, about 43 percent of serious violent crime in this country was committed by juveniles. Today that figure has dropped to 28 percent. Do not be mistaken that all is well. Since 1981, violent crime by juveniles has increased about 29 percent. But while that is alarming and shows that much needs yet be done, it should be noted that during that some period violent crime by adults rose by nearly 50 percent. Yet there are indeed signs that our progress to date is beginning to slip. Arrests of runaways is up 20 percent since 1981, reversing a trend which was favorable as recently as 1984. About 100,000 children and youth were arrested for running away last year. Serious crime by young women has gone up faster than arrests for young men -- an increase of 10 percent for young women compared to a 4 percent drop for young men.

My testimony today can be summed up in one sentence. The Juvenile Justice Act is working and should be continued; but it has been neglected over the years and its role as a strong partner in federal-state-local cooperation should be restored. This reauthorization gives us the opportunity to do just that. As you and your staff draft this important bill, the National Collaboration for Youth urges your attention to and consideration of the following areas:

Provide for an independent Office of Juvenile Justice and Delinquency Prevention within the Justice Department

In section 201(b), require that the Administrator of the Office of Juvenile Justice report directly to the Attorney General and strike the last sentence of the subsection requiring that the Administrator report through the head of Office of Justice Assistance Programs. When the Juvenile Justice Act was first past, it was a part of the Law Enforcement Assistance Administration (LEAA) and the Administrator reported through the head of the LEAA. That was changed in 1980 because of abuses and to provide the Office with greater independence in order to assure that the needs of youth were highly visible within the Department and paramount in its administration of the law. Unfortunately, that was changed in 1988 and rumor of interference by Justice Department officials are again beginning to surface . We would ask this subcommittee to place the needs of youth above those of administrative officials in the Justice Department. The Attorney General cannot afford to be too busy to deal directly with the OJJDP Administrator regarding the topic of delinquency and its prevention.

Provide an adequate authorization for FY 1994 of $250 million.

There is the old axiom that given a stick long enough we can move the world. Through the Juvenile Justice and Delinquency Act, the Congress gave this country a stick long enough to move state and local policy on behalf of our children and youth. It has provided leverage for change and it has worked. But since 1980, as the chart which accompanies my testimony indicates, we have allowed that stick to be whittled down by inflation. It is much shorter now and it is beginning to show. The Act's funding level in fiscal year 1980 was $100 million dollars. Actually the Act's funding in fiscal year 1978 was $100 million dollars. About $250 million would be necessary just to bring buying power of our federal policy "leverage" back to 1978 levels.

Now I know that this is not the fault of this subcommittee. But this subcommittee can send a message to the Appropriations Committee by reauthorizing the Act for an additional five years at a level of $250 million for the first year and such sums as are necessary for the following years.

Retain the mandates of the Juvenile Justice and Delinquency Prevention Act related to deinstitutionalization of status offenders, separation of juveniles from adults convicted or charged with criminal offenses, and the removal of children from adult jails and lock-ups and require effective monitoring.

Section 223(a)(13),(14), and (15) of the Act are crucial to Act's success. These reforms are the results of decades of research which have in no way been disputed. The findings upon which these reforms are built are simply these: the best way to prevent crime is to invest in our young and the best way to prevent repeat offenses by our young is to treat them in the least restrictive settings appropriately available.

In short, in terms of reducing recidivism, the early use of nonsecure, community-based services are better than secure institutionalization. This is not a reform founded simply on fairness or humanity. It is a reform in place because it works.

Yet there is slippage. Changes put in place in 1980 were intended to provide juvenile judges authority to hold juveniles who had violated valid court orders. As recent evaluation relate that authority has been applied so variously from state to state that it is apparent that its application depends on judicial policy inclinations state to state rather than the needs of young people. As a result, arrests of status offenders are beginning to rise and we are in danger of losing the ground which the Act has helped us gain over the past two decades. Provisions allowing the use of valid court orders should be removed and, whenever possible, the Act should encourage the removal of status offenders from the jurisdiction of the juvenile courts and assist them to be reconciled with their families.

Continue citizen involvement and oversight

Maintain the state advisory groups created under section 222(d) of the Act. These groups assure that attention is being paid and progress being made in all the States. It provides a citizen network of concern. Moreover it assures that much needed authority for citizens to look over the shoulder of the bureaucracy and advise the Congress and the President when misadministration occurs.

Reemphasize the advanced techniques section of section 223

When it comes to the expenditure of resources, perhaps no section is more important than section 223(a)(10) which provides the "advanced techniques" on which state are to spend their money. Yet over time, these techniques have become so expanded -- the introductory sentence is now 21 lines long -- that almost anything short of flogging might be considered. That 21-line introductory sentence can safely be removed and advanced techniques governing state expenditure of funds need to be limited to the specific programs enumerated in the Act with some modifications to update what we have learned over the past 15 years of so:

1. Increase incentives for the development of community-based alternatives to incarceration and institutionalization. Rewrite section 223(a)(10)(A) to read as follows:

> (10) provide that not less than 75 percentum of the funds available to such State under section 222, other than funds made available to the State advisory group under section 222(d), whether expended directly by the State, by the unit of general local government or combination thereof shall be used for--
>
> (A) community-based alternatives to incarceration and institutionalization, specifically: (i) for youth who can remain at home with assistance--home probation and programs providing professionally supervised group activities or

individualized mentoring relationships with adults which involve the family and provide counseling and other supportive services; (2) for youth who need temporary placement--crisis intervention, shelter, and after-care designed to meet the special needs of youth who run from abusive homes, who are pushed from their homes, or who because of other personal or family difficulties, are homeless; and (iii) for youth who need residential placement--a recognized continuum of foster care or group home alternatives which provide access to a comprehensive array of services;

2. Emphasize community collaboration by amending section 223(a)(10)(C) to read as follows:

> (C) Comprehensive delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which any youth may appear including: schools, courts, law enforcement agencies, child protection agencies, welfare services, health care, and private nonprofit agencies offering youth services.

3. Emphasize education by amending section 223(a)(10)(E) to read as follows:

(E) educational programs or supportive services for delinquent or other youth, provided equitably regardless of sex, race, or family income, designed to encourage them to remain in school, including: (i) education in settings that promote experiential, individualized learning and the exploration of the academic and career options; (ii) assistance in making the transition to the world of work and self-sufficiency; and (iii) alternatives to suspension and expulsions.

4. Amend section 223(a)(10)(F) to read as follows:

(F) expanded use of home probation and recruitment and training of home probation officers, other professional and paraprofessional personnel, and volunteers to work effectively to allow youth to remain at home with their families as an alternative to incarceration or institutionalization.

5. Increase incentives for youth development services by adding a new section 223(a)(10)(M) to read as follows:

> (M) opportunities for positive youth development which assist delinquent and other youth to obtain:
>
> (1) a sense of safety and structure;
> (2) a sense of belonging and membership;
> (3) a sense of self-worth and of social contribution;
> (4) a sense of independence and control over one's life;
> (5) a sense of closeness in interpersonal relationships;
> (6) a sense of competence and mastery including health/physical competence, personal/social competence, cognitive/creative competence, vocational competence, and citizenship competence, including ethics and participation.

Assure accountability by requiring the Administrator to evaluate all programs funded under Title II and to conduct assessments regarding discrimination in treatment or the provision of services based on sex, race, or income.

In section 243, current language authorizes the Administrator to conduct evaluations of Title II programs and perform assessments pertaining to discrimination in the juvenile justice system but does not require it. Compliance should be mandatory. Amend section 243 to read as follows:

Sec. 243. (a) The Administrator, acting through the National Institute for Juvenile Justice and Delinquency Prevention, shall--

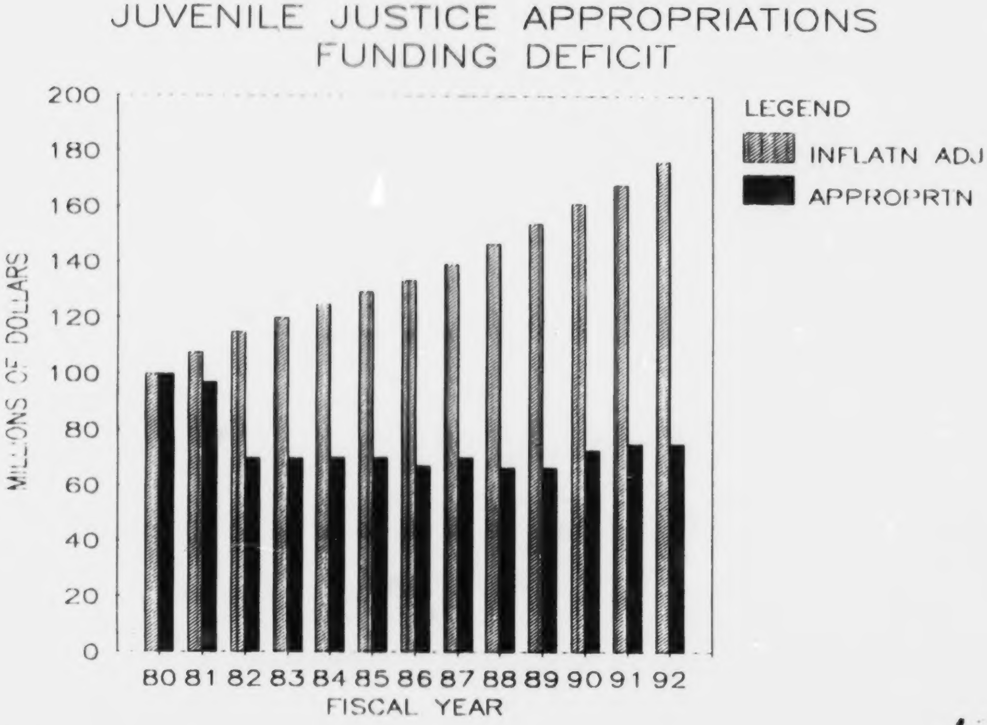
(1) provide for the evaluation of all juvenile delinquency programs assisted under this title in order to determine the results and the effectiveness of such programs; and

(2) prepare assessments regarding the extent to which youth in the juvenile justice system are treated differently on the basis of sex, race, or family income and the ramifications of such treatment.

(b) The Administrator, acting through the National Institute for Juvenile Justice and Delinquency Prevention is authorized to--(as in current Act).........

Finally, we ask you to recognize, utilize, and strengthen where appropriate throughout the Act the pivotal role that private nonprofit youth serving organizations play in the socialization of youth and the significant part they play in providing community- based services to delinquent and youth at high risk of delinquency because of the challenges they face and in providing prevention services through positive youth development.

Mr. Chairman, that concludes my remarks. I will be happy to answer any questions.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FISCAL YEAR

Chairman **Martinez**. Thank you, Mr. Raley. Just one comment before I go to the next witness. I am tempted to jump in right now because it is important. You have made an important point. I have always believed, even though a greater number of minorities are involved in the problems that we see in urban areas, that even in those urban areas, people are not looking very closely at the problems. In the neighborhood I grew up in, where minorities were predominant, there were still a lot of nonminority in that community having the same problems. You can visit someplace like Omaha, Nebraska, where minorities make up a smaller percentage of the population being served. The issues that we are addressing do not apply only to minority youth.

I would tend to agree with you that we ought to start looking at this thing in terms of family income, not racial background. I think we will be surprised to find out that poor kids—white, black, yellow, green and blue—still have the same problems. Thank you.

Mr. Callaway?

Mr. **Callaway**. Mr. Chairman, Representative Fawell, Representative Kildee. I testified before you, Mr. Kildee, when you were the chairman of this committee. It is an honor to be back here. To you, Mr. Chairman, it is a real honor to be here testifying before you. You know Boys & Girls Clubs of America. I am the assistant national director of Boys & Girls Clubs of America, but you take that a step further: you are on the board of a Boys and Girls Club, and you started a Boys and Girls Club. Our people from your district, including our mutual friend, Clay Holapeter, say that you not only talk the talk, you walk the walk. In my communities and with my kids, my 1,720,000 kids, that is something of which you want to be very proud.

Today, we have 1,340 Boys & Girls Clubs in 49 States, the Virgin Islands, and Puerto Rico. One hundred seventy-four of these clubs are in public housing. We are opening one new club every 2 weeks in public housing on an average, and most of that is done with private sector dollars.

The first Boys Club in this country was created in 1860. It was designed to meet the needs of the most needy in that community. We talked about family income. Today, 80 percent of our 1,720,000 boys and girls live in families with total annual income under $20,000. It is not a minority issue; it is a family income issue for our people.

We supported the Juvenile Justice and Delinquency Prevention Act since 1974. We were one of the original organizations supporting the act. Why do we still support it? Because the program has worked. It has proven effective over the years. How has it worked? It is now the rare exception when a status offender or nonoffender is locked up in secure detention. It is now a rare exception when a juvenile is not separated from an adult in an adult jail or when placed in institutional confinement. It is now the rare exception when a juvenile who does not need to be is locked up in an adult jail or police lockup.

We talked to David Stockman about this program when he first recommended zero funding. He said the reason he wanted to zero it out was because it worked. I asked him at the time, "Can't you find some program that doesn't work and cut that out?" I loved your question about Darman, because we could ask him the same question today. Mr. Sweet probably cannot be the one to ask him that question, but I think some of us should.

In addition to reforming the juvenile justice system, the Office of Juvenile Justice has been the strong national leader in the prevention of delinquency. The prevention of delinquency is what the office needs to continue to do. For example, they created a targeted outreach program with the Boys and Girls Clubs of America. What was that? It was a program in which local Boys & Girls Clubs identified and reached out to potential delinquents, dealt with the police, the juvenile courts, and the schools, and brought those kids into the mainstream of club activities. Today, the recidivism rate of kids brought into targeted outreach is less than 10 percent. It worked. They were out there. We gave them a little extra hand. We brought them into the Boys & Girls Clubs.

Number two, the Office of Juvenile Justice has been involved with us in gang intervention. Using the techniques we developed in the targeted outreach program, we reached out and grabbed younger siblings of gang members and brought them into the clubs. The success rate for that has also been astounding. Give me 100 gang members, you take out the top three of them that need to be taken out in other parts of the system, and we will deal with the 97 that are left.

The third thing that the Office of Juvenile Justice has done is create a drug demand reduction partnership between Boys & Girls Clubs of America and the FBI. In October 1988, FBI Director Bill Sessions called us in and wanted us to become an ally in their drug demand reduction work. I was somewhat surprised that the FBI wanted to work with Boys & Girls Clubs to do drug demand reduction. Director Sessions had a vision here. He brought us in, OJJ funded a training at Quantico for many of our members, and it worked.

Jim Schwab, Executive Director of the Kips Bay Boys and Girls Club in the Bronx, has been in youth work for 25 years. He says of this program, "I can unequivocally say, this FBI and Boys & Girls Club program motivates young people to both stay in school and stay away from drugs!" He is working with some very tough populations there. He sees this program working.

FBI Agent Terry Beck said about this program, "By its nature, the Boys & Girls Clubs is a drug demand reduction program. It's giving kids an alternative, a safe place to be after school and on weekends." Again, OJJDP showed the leadership that kicked us off. The FBI did not have the money to pull together that training; OJJDP did.

Thanks to OJJDP's leadership in this area, Special Agent Terry Beck and I participated in an anti-drug rally and walked from one of our 15 Chicago clubs, the Henry Horner Project. Representative Fawell, I am sure you are familiar with the Henry Horner Project in Chicago. We walked six blocks through that neighborhood. You know the area. It is a very tough area. Go in there and see the hope that is on some of those kids' faces. Somebody has to reach out to them, and OJJDP is one of the few Federal agencies showing that leadership to do it. Our regional board president from that area is Ron Gidwiz. I think you know Ron, Representative Fawell. He is very strongly supportive of our work there in Chicago.

The fourth area for the Office of Juvenile Justice and Boys & Girls Clubs is public housing. OJJDP funded this manual. It is a very simple looking manual. It does not look like a Harvard document, does it? "Starting a Boys & Girls Club in Public Housing." OJJDP funded the development of this manual. The Annie Casey Foundation, a private sector foundation, stepped up and put $1.7 million into creating Boys & Girls Clubs in public housing. That is leadership. OJJDP spent a few dollars creating this manual. We put it into the hands of people in public housing. They wanted to create a club in public housing.

What did Columbia University say about our work in public housing? "We discovered that the presence of a Boys & Girls Club in public housing encourages residents to organize and improve their community." It does not say just kids; it says residents. "The Clubs stimulate communication between public housing residents, the police, housing authority managing personnel, and other community groups. The increase in communication seems to have enriched the social quality of life in public housing." Again, the national leadership of OJJDP made much of this happen.

Let me make something real clear here. No government funds whatsoever, not one dollar, go into my salary or into any component of my government relations office. If you eliminate OJJ tomorrow, I am still around, I still have a job, my kids still get to go to a ballgame every now and then, like yesterday at Oriole Park at Camden Yards. No government funds have gone into my office for the last 9 years, since I took this job. We make it very clear that if I am up here, I am not doing anything for my salary.

What are the key issues to reauthorization? I would like you to remember them as the four A's. There are four A's to this reauthorization. One, the autonomy of the Administrator of the Office of Juvenile Justice. It is not a new issue. I looked back into the 1980 reauthorization and saw testimony, including my own, in which we expressed a need to have our Administrator of the Office of Juvenile Justice to report directly to the Attorney General. Far too often, this office is put down to the lower rung at the Justice Department and the Administrator is not able to exert all the leadership that they could possibly exert.

Second, appropriations. Gordon talked about authorization. I remember when I first started working in Washington and somebody said, "Robbie, we have to push for a $200 million authorization to get a $100 million appropriation." Somehow that did not make sense to me. I have figured out why, but I am going to sit here and not talk about authorization. We had a $200 million authorization then, and we had a $100 million appropriation. I am going to ask for a $100 million appropriation.

The first A is autonomy, the second A is appropriation. Gordon talked about a $100 million appropriation in 1980. Do you know how much money was actually going into Juvenile Justice in 1980, actual cash dollars, hard green dollars? It was $200 million, because at the time there was $100 million Juvenile Justice appropriation and $100 million of the LEAA appropriation that had to be spent on juvenile justice, the maintenance of effort provision.

That was $200 million in 1980. I am asking you to cut that by 50 percent today, at least.

We do not believe in throwing money at a problem at Boys & Girls Clubs of America—we are mostly private-sector funded. Far too often that is what happens in an area, and money is wasted when it is thrown at a problem. That is not what we are asking you to do. Today, we are advocating a minimum appropriation level of $100 million because we think it is a wise investment.

We, therefore, strongly, strongly, strongly, strongly disagree with Darman's recommendation of $7.5 million, just as we strongly, strongly disagreed with Stockman's recommendation of zero.

My third A, we have the National Children's Advocacy Program Act of 1992. On April 1, 1992, the first day of Child Abuse Prevention Month, Congressman Bud Cramer introduced a bipartisan bill to establish a children's advocacy program. He had several cosponsors. Under Mr. Cramer's proposal, the Director of the Office of Juvenile Justice, in coordination with the Director of the National Center on Child Abuse and Neglect, shall establish a children's advocacy program to refocus attention on the child victim.

Now why are we saying put that in the Juvenile Justice Act? Representative Martinez answered that question for me earlier when he talked about child abuse and deaths by child abuse. Do you know what happens to a lot of kids who do not die by child abuse? They become those angry kids that end up joining the gangs, and end up in the institutions, and end up in the prisons. There is definitely a strong correlation between child abuse and delinquency.

I have worked with delinquents for many years. I have worked directly, hands on. I am not just a Washington person. Step into those kids a little bit. Find out how much they were abused when they were very young. Some of those kids, if we could have gotten to them earlier through the justice system, they might have had a chance.

The fourth A, there needs to be appointed an advisory committee to advise the Administrator of the Office of Juvenile Justice. I think this committee and the oversight committee in the Senate needs to have a strong hand in that advisory committee. It needs to be appointed by the Attorney General, not the President. We do not want it to be a political committee. We want it to be a committee that can really advise the Administrator of the Office of Juvenile Justice as to what is going on out there in the communities. I do not know that we need regional offices out there, but I do think we need advice from out there.

We at Boys & Girls Clubs also believe that we currently have one of the best Administrators the Office of Juvenile Justice has ever had in its entire period of time. This man came in, and I have been extremely impressed with what he has done. He has listened to people. He put aside everybody else's old dislikes. He has listened to people who surprised me. He has been able to do many things that none of us thought he could do.

So our recommendations are the four A's: autonomy for the Office of Juvenile Justice, appropriation of $100 million, the National Children's Advocacy Center, and the advisory committee. Thank you.

[The prepared statement of Robbie Callaway follows:]

Mr. Chairman and Members of the Committee, my name is Robbie Callaway and I am the Assistant National Director of Boys & Girls Clubs of America. It is a real honor to testify before you this morning. Nearly every member of this Committee has a Boys & Girls Club in their District. You, Mr. Chairman, have been a true friend to the Boys & Girls Club Movement by both starting a Club in your District and serving on the board of another Club in your District.

A phrase used by many of our 1,720,000 boys and girls to describe someone like you is, "He not only talks the talk, he walks the walk!" This is often the highest compliment they will pay someone. You have earned it.

Today, there are 1340 Boys & Girls Clubs located throughout 49 States, the Virgin Islands and Puerto Rico. 174 of these 1340 Clubs are located in public housing properties. We are currently expanding in public housing on the average of one new Club every 2 weeks.

These Clubs are designed for the long haul. They are not a quick fix -- short term solution. They are designed to help kids, families and the overall community.

When the first Boys Club was created in 1860, it was designed to serve the neediest kids in the community. We have never lost sight of that mission.

It is therefore no wonder that in 1974 Boys Clubs of America was one of the major advocates supporting the creation of the Juvenile Justice and Delinquency Prevention Act. It is also no wonder that Boys & Girls Clubs of America has been on the front lines advocating for the continued authorization of the Act.

Why? The Juvenile Justice and Delinquency Prevention Act has worked. It has proven very effective over the years with the only true drawback being the lack of adequate appropriations and occasional lapse in Administration, often due to the lack of autonomy of the Administrator.

How has the Juvenile Justice and Delinquency Prevention Act been successful? Three of the obvious success areas have been in the reform of the juvenile justice system.

1. It is now the rare exception when a status offender or non-offender is locked up in a secure detention or a correctional facility.

2. It is now the rare exception when a juvenile is not separated from adults when placed in institutional confinement.

3. It is now the rare exception when a juvenile who doesn't need to be, is locked up in an adult jail or police lock-up.

Although we have made great progress in these areas, there is still much that needs to be accomplished.

In addition to reforming the juvenile justice system, the Office of Juvenile Justice and Delinquency Prevention has been the strong national leader in the prevention of delinquency.

Working with the Office of Juvenile Justice and Delinquency Prevention, Boys & Girls Club of America has developed and implemented many very successful delinquency prevention programs.

For example:

1. **Targeted Outreach** - Local Boys & Girls Clubs identify potential delinquents by working closely with schools, police, and juvenile court judges. These kids are then mainstreamed into regular Club activities.

   The recidivism rate of these kids back into the juvenile justice system is less than 10%.

2. **Gang Intervention** - Using the techniques learned in Targeted Outreach, local Boys & Girls Club workers identify potential gang members, including younger siblings of gang members, and mainstream them into Club activities. Again the success rate has been exceptional.

3. **Drug Demand Reduction Partnerships** - Boys & Girls Club of America and the Federal Bureau of Investigation. In October of 1988, FBI Director, William Sessions, identified Boys & Girls Clubs of America as a potential major ally in the Bureau's war on drugs.

   The Office of Juvenile Justice and Delinquency Prevention seized on this opportunity and funded a joint training between FBI Agents and Boys & Girls Club leaders from around the nation.

   Jim Schwab, Executive Director of the Kips Bay Boys & Girls Club in the Bronx, has been in youth work for 25 years. He has a keen insight into what programs really have an impact on kids in this country. In the Bronx he has implemented this program with the FBI and he says, **"I can unequivocally say, this FBI and Boys & Girls Club program motivates young people to both stay in school and stay away from drugs!"**

   As FBI Special Agent Terri Beck says, "By its nature, the Boys & Girls Clubs is a drug demand reduction program. It's giving kids an alternative, a safe place to be after school and on weekends."

Thanks to OJJDP's leadership in this area Special Agent Terri Beck and I participated in an anti-drug rally and walked from our Chicago Club at the Henry Horner Public Housing complex to another complex blocks away. The Boys & Girls Club and the FBI are making a difference in the lives of the kids in this drug-infested neighborhood.

4. **Public Housing** - has seen a difference thanks to the leadership at OJJDP. Boys & Girls Clubs were showing amazing success in opening Clubs in public housing. One of our problems was we did not have the person-power to get the information out fast enough. OJJDP again showed the leadership and published the manual on "Starting Boys & Girls Club in Public Housing." This manual has now been sent to housing authorities and Boys & Girls Clubs all across America. They have put it to great use as nationally they average 1 new Club created every 2 weeks.

   A recent Columbia University Study of the effects of Boys & Girls Clubs in public housing concluded;

   "We discovered that the presence of a Boys & Girls Club in public housing encourages residents to organize and improve their community. The Clubs stimulate communication between public housing residents, the police, housing authority managing personnel, and other community groups. The increase in communication seems to have enriched the social quality of life in public housing."

The national leadership of the Office of Juvenile Justice and Delinquency Prevention helped make all this, and more, happen at Boys & Girls Clubs throughout America.

The other witnesses here with me could also expand on the many successful activities that OJJDP has allowed for their organizations and constituents. My friends at the National Collaboration for Youth have countless stories and we all know how OJJDP has dramatically assisted the National Council of Juvenile and Family Court Judges improving not only the overall system, but the quality of the juvenile and family court judges throughout America. My own involvement with the State Advisory Groups on Juvenile Justice and Delinquency Prevention (SAG) began in 1975 and ran continuously through reappointments by 3 Governors. My direct experience as a SAG member ended in 1988. I saw numerous successes on the State level thanks to a strong SAG.

Enough about the many successes of the program. What are the key issues to consider during this reauthorization?

1. **The autonomy of the Administrator of the Office of Juvenile Justice and Delinquency Prevention.**

This is not a new issue! As far back as the 1980 reauthorization there was a need expressed to have the Administrator report directly to the Attorney General.

At that time, as today, the Office of Juvenile Justice and Delinquency Prevention has been treated as the lowest rung of the Justice Department hierarchy. The demands of the adult criminal justice system have historically taken precedent. Yet over and over again we hear of the need to more adequately address juvenile crimes and prevention.

We encourage this committee to examine this structural issue carefully. We are very encouraged by the current Attorney General's interest in the Office of Juvenile Justice and Delinquency Prevention.

For 10 of the last 12 years there has been active and inactive Administration opposition to the Juvenile Justice and Delinquency Prevention Act. This Attorney General has come out in support of parts of this program and has already placed more emphasis on juvenile justice than many of his predecessors.

2. **Appropriations.** In 1980, the appropriation for the Juvenile Justice and Delinquency Prevention Act was $100 million. In addition to this $100 million there was another $100 million devoted to the Juvenile Justice and Delinquency Prevention Act through the Law Enforcement Assistance Act, "Maintenance of Effort Provision."

   In 1980 this meant about $200 million in the Juvenile Justice and Delinquency Prevention Act. In 1981 the overall figure dramatically dropped to $70 million and has been around that figure ever since.

   Given the success this program has had can you imagine what success it might have had if the appropriation had been maintained at the $200 million level?

   Today, we are advocating a minimum appropriation level of $100 million.

3. **National Children's Advocacy Program Act of 1992.**

   On April 1, 1992, the first day of "Child Abuse Prevention Month," Congressman Bud Cramer (D-AL) introduced a bi-partisan bill to establish a children's advocacy program.

   Under Mr. Cramer's proposal the Director of the Office of Juvenile Justice and Delinquency Prevention, in coordination with, the Director of the

National Center on Child Abuse and Neglect, shall establish a children's advocacy program to refocus attention on the child victim and to provide support of the nonoffending family member by assisting communities to develop child-focused, community-oriented, facility-based programs designed to improve the resources available to children and families.

The program will also enhance coordination among existing community agencies and professionals involved in the intervention, prosecution, and investigation systems that respond to child abuse cases.

This bill introduced by Representative Bud Cramer, and several co-sponsors, will replicate a program which has had major success in dealing with the victims of child abuse. Over and over again, we see the correlations between child abuse victims and delinquency.

We strongly encourage passage of the National Children's Advocacy Program Act of 1992 as a separate title of the Juvenile Justice and Delinquency Prevention Act.

4. **There needs to be an appointed advisory committee to advise the Administrator of the Office of Juvenile Justice and Delinquency Prevention.** This advisory committee should be appointed by the Attorney General and approved by the Congressional Oversight Committees.

   This committee should minimally include representation from the juvenile courts, the non-profit youth serving community, the prosecuting attorneys, the State Advocacy Group Chairs, and others.

   This committee should be empowered to advise the Administrator on the progress of the Office of Juvenile Justice and Delinquency Prevention and the current status of the juvenile justice system in America.

In closing, allow me to reiterate the strong support of Boys & Girls Clubs of America for the reauthorization of the Juvenile Justice and Delinquency Prevention Act. The current National Director of Boys & Girls Clubs of America, Tom Garth, held my job in 1974 and was influential in the passage of the original JJDPA. Our support for this program has never diminished as we have seen it accomplish more than anyone thought possible back in 1974.

We know it can do even more given the strong support of you, Mr. Chairman, and the other Members of this Committee. We currently have an extremely effective Administrator of the Office of Juvenile Justice and Delinquency Prevention, and an Attorney General who has left the door open for reauthorization.

Let us seize the opportunity, reauthorize a strong Juvenile Justice and Delinquency Prevention Act, and encourage even stronger on-going national leadership from the Office of Juvenile Justice and Delinquency Prevention.

Chairman **Martinez**. Thank you, Mr. Callaway. Just a comment on the idea of the good that Boys & Girls Clubs do. Long ago I became enthused about starting a Boys & Girls Club in California. The reason I did is, when I grew up in east L.A., they started one there. I saw a lot of kids that went into that, including myself, that did not end up on the streets doing other things. It did divert youth from delinquency. It really did.

Mr. **Fawell**. You became a politician.

Chairman **Martinez**. Yes, that's worse. Hopefully not. That is why I got enthused. What did happen is, there was a little gang starting on Poorside. They had the first generation of gang members. There is no more Poorside today. There was another one, the Block, which was inherited from Mata Via—I am sure you are familiar with that area. In the first 6 months of the year that they tore down the projects, there were 42 gang-related killings in that one little four-block square area. We inherited it on the lower side of Monterey Park, part of that, and they now called themselves The Block because they were all within one block. There is no more Block today.

So I know of two instances where, given alternatives, gangs became obsolete. There are other gangs that are in their second, third, fourth, or fifth generation. That is entrenched. When I started the Boys Club in Monterey Park, all of the old time citizens of Monterey Park insisted it was going to be a gang hangout. That is why they were against it. It took years to slowly but surely get the community leaders to start taking a look at the good things they were doing there.

You talked about taking them to the ball game. The first trip I took a bunch of those kids on in my van from my business was to the Icecapades. Some of these kids had never seen an ice skater. They were enthralled. One of the kids came away, intent that he was going to learn to ice skate and be an ice skater. It gives people an incentive. So that is why I believe in it. You are absolutely right when you say that it is a diversion and does stifle gang activity.

Ms. Morris?

Ms. **Morris**. Chairman Martinez and Congressmen Fawell and Kildee, it is an honor to be here today. I must admit that I am a little bit intimidated by this task, so if you all will bear with me.

Chairman **Martinez**. You are worried about these three guys up here? They are as afraid of you. We will come down there if you want.

Ms. **Morris**. My written testimony touches on many issues: The National Coalition of State Advisory Groups, the Office of Juvenile Justice and Delinquency Prevention, and the Federal Coordinating Council, among others. To address Title 2 of the act in the understandably limited time for oral testimony, I would like to make these abbreviated remarks and to ask that you read the story of Jamie in my written testimony. It illustrates the problems faced by children caught up in the downward swirl of juvenile delinquency.

My name is Susan Morris. My role here today is as Chair of the National Coalition of State Juvenile Justice Advisory Groups. The coalition is charged in the act with advising Congress, the President, and the Administrator of OJJDP. The National Coalition is the national voice for State advisory groups. National Coalition members are united behind the common goals of justice for juveniles and the prevention of delinquency.

Back home in Shawnee, Oklahoma, I work at the Youth & Family Resource Center. Youth & Family is a multipurpose children's shelter and community-based counseling center. In my work, I see the Jamies and the faces of abused infants and teenage offenders daily. Unfortunately, most of us know of a Jamie. The Jamies of the world are why the OJJDP Act was created. The act is the only program in which the Federal Government addresses problems of delinquent youth from a planned, local basis. The mandates demand radical reform in juvenile justice and delinquency prevention. The crux of the act is partnership. Even the original authorization was a nonpartisan partnership. During reauthorization, the partnerships are highlighted once again.

If Jamie lived in Illinois, he could be monitored at home through the Du Page County Youth Home home detention program, funded through Title 2 of the act. I know Ms. McGrath will discuss this program in detail shortly.

If Jamie lived in Los Angeles and was involved in a gang, he would receive structured independent educational study and conflict resolution classes from Catholic Charities of East Los Angeles, through their Gang Violence Suppression Project, another example of a program funded through Title 2's formula grant funds.

If Jamie lived in Oklahoma, he would be referred to the Youth & Family Streetwise program after his first offense to learn the consequences of not following the law and that his actions affect his family, friends, and innocent victims. The Oklahoma State Advisory Group found the need for divergent programs in the State and used formula grant moneys to bring them about.

Partnerships and planning in Missouri would provide emergency shelter care and crisis intervention services for Jamie. He and his parents would receive help before intake and adjudication was necessary. The YWCA Youth Crisis Center in St. Joe's was planned to meet that community's need through the State Advisory Group's 3-year comprehensive plan.

If Jamie lived in New York, he would be seen by the Yonkers Bureau of Youth Services in their Dropout Prevention Project for inner-city youth. The program offers individual and substance abuse counseling as well as guidance in becoming involved in positive community and leisure-time activities, yet another partnership between local, State, and Federal entities.

Ideally, if Jamie were involved in Boys Clubs, Boy Scouts, a Key Club, or a church youth group, the funds for the OJJDP Act could be spent on Presidential Scholars, sports, FFA, or 4H. Unfortunately, that is not the case. Yet, States are willing to help kids. People want to do the right thing. They want guidance on how to effect it, who it will affect, and the venture capital to start it.

How is all this done? Through the partnerships of the act, between the Federal Government and committed citizen volunteers from individual States, the State Advisory Groups. Local participants in State planning for Federal policy on juvenile justice and delinquency prevention. Solid funding and sound administration modeled at the Federal level sets the process in motion.

Interdisciplinary services for children, including interagency groups such as prescriptive or multidisciplinary teams, are tools used in the process. Blended funds prevent costly, unnecessary duplication. Flexible funds that follow a child, rather than force him or her into an inappropriate program, establish yet another part of the structure. To work, the act requires coordination, cooperation, collaboration, and capital—all components of a good partnership.

Someone once asked, "Can we, in all our wealth and power, afford the loss of a single American child?" The answer to that question begins with our commitment to children before they become one of the Jamies of the world. Jamie's way of handling his many problems was to run away from them. We have to stop the anger of the Jamies of the world and heed their cries for help. We have to stop running from our own responsibility and see that kids receive help and not punishment for their original behavior.

Most people do not understand or like delinquents or status offenders, runaways, and truants. To be honest, a lot of people just do not want them around. They want them locked up, out of sight and out of mind. Without us continually reminding people that although the Jamies of the world may have done some pretty bad things, they really aren't bad kids, that is exactly what will happen: lock them up and throw away the key.

According to a well-known author on leadership, leaders are renewers, shapers of what might be rather than servants of what is. Those leaders in 1974 had visions of justice for juveniles—yes, even of preventing delinquency. It is time to renew those visions again. The partnerships forged in 1974 remain. New ones continually form. Ours, between Congress, the National Coalition, the State Advisory Groups, juvenile justice specialists, and the Office of Juvenile Justice and Delinquency Prevention, needs to be strengthened. Such partnerships are important to the Jamies of the world. They heed the cry of each Jamie in every community.

Again, my deepest thanks and appreciation for the opportunity to take part in the operation of my government.

[The prepared statement of Susan Morris follows:]

Presented to the

SUBCOMMITTEE ON HUMAN RESOURCES

COMMITTEE ON EDUCATION AND LABOR

UNITED STATES CONGRESS

on behalf of the

National Coalition

of

State Juvenile Justice Advisory Groups

"Committed to justice for juveniles and delinquency prevention"

April 7, 1992

Susan C. Morris
Chair

Preface

Jamie

Jamie's parents refer him to Court Intake because he won't stay home. The Court intake worker gets the local Youth Services Center to squeeze in a counseling appointment for Jamie, no easy task due to today's waiting lists. Jamie shows once and runs. He becomes more difficult to contain; this time he commits several delinquent acts before he's picked up. His parents, resigned to the bouts of running away, are totally helpless. The Intake worker finds Jamie a private placement, a true modern miracle. Jamie runs and when found is denied readmittance because he ran. There are several more runaways from placements - both shelter and residential.

The police weary of always having to pick up Jamie because nothing is ever done. The officers begin not to look real hard for him. Jamie becomes more deeply involved in life on the street. By now, it is impossible for that Intake Worker, or any other counselor for that matter, to reach Jamie. The judge becomes angry seeing Jamie before her time and time again, each time for something a bit more serious.

Finally the judge refuses to consider any alternative other than custody within a maximum security facility. The counselor knows that it will be several weeks before Jamie is shipped off and then it will probably be to a private psychiatric hospital where he will be locked away and institutionalized, until the insurance money runs out, that is. However, while awaiting the secure placement, Jamie connects with friends. They rob a convenience store on the way out of town in one of the friend's mom's cars. A clerk is seriously injured. The kids are caught and placed in the county jail where Jamie watches while his best friend is raped by another inmate. When he goes to court, he is surly and angry before that same judge. He is certified, convicted, and sent to prison. Jamie is now lost forever.

Most of us know of a Jamie. The Jamies of the world are why the JJDP Act was created. The entire Act was passed in 1974. Title II of the Act encompasses the only program in which the federal government addresses the problems of delinquent youth from a planned, local basis. Title II did and still does demand radical reform in juvenile justice and delinquency prevention. It is the centerpiece of the Act. The crux of the Act is partnership. Even the original enactment was a non-partisan partnership. During reauthorization, the partnerships are highlighted once again. Reauthorization is when we not only question the continued force and viability of the Act, but also look at new issues and strategies for improving the effectiveness of the juvenile justice system and for preventing delinquency.

If Jamie lived in Illinois, he could be monitored at home through the DuPage County Youth Home, Home Detention Program, funded through Title II of the Act. Trained workers would make sure that Jamie stayed put and in school while awaiting court.

If Jamie lived in Los Angeles and was involved in a gang, he would receive structured independent educational study and conflict resolution classes from Catholic Charities of East Los Angeles through their Gang Violence Suppression Project. Another example of a program funded through Title II's formula grant funds.

If Jamie lived in Oklahoma, he would be referred to the Youth & Family Streetwise program after his first offense to learn the consequences of not following the law and that his actions affect his family, friends, and innocent victims. The Oklahoma State Advisory Group found a need for diversion programs in the state, and used formula grant moneys to bring them about.

Partnerships and planning in Missouri would provide emergency shelter care and crisis intervention services for Jamie. He and his parents would receive help before intake and adjudication was necessary from the YWCA Youth Crisis Center in St. Joe's. The program was planned via through the State Advisory Group's 3-year comprehensive plan to meet that community's needs.

If Jamie lived in New York, he would be seen by the Yonkers Bureau of Youth services in their Drop Out Prevention Project for inner-city youth. The program offers individual and substance abuse counseling, as well as guidance and encouragement in becoming involved in community and positive leisure-time activities. Yet another partnership between local, state and federal entities.

I. Introduction

Mr. Chairman, my name is Susan Morris. I am here today as Chair of the National Coalition of State Juvenile Justice Advisory Groups. Back home in Shawnee, Oklahoma, I am Executive Director of Youth & Family Resource Center. Youth & Family is a multipurpose children's shelter and community-based counseling and resource center. So I see daily the Jamies of the world from abused infant to teenage offender.

I thank you for the opportunity and honor to address you. I am awed by this task.

II. The National Coalition of State Juvenile Justice Advisory Groups

The National Coalition of State Juvenile Justice Advisory Groups (National Coalition) is recognized in Section 241(f) of the Act as that "eligible organization composed of member representatives of the State Advisory Groups appointed under section 223(a)(3)..." It is the body charged in the Act with advising Congress, the President, and the Administrator of the Office of Juvenile Justice and Delinquency Prevention. The National Coalition is the national voice for the State Advisory Groups. National Coalition members are united behind the common goals of justice for juveniles and prevention of delinquency.

The 56 members of the Board of Directors represent all states and six assorted U.S. Commonwealths, Territories, and one District. The Coalition has evolved in recent years to become a significant national force in juvenile justice reform.

Thanks to Congress, the National Coalition is assured the support to perform effectively. Among many other activities, the National Coalition, by mandate, holds an Annual Spring Training Conference in May of each year, and prepares by January 1 an Annual Report to Congress, the President, and the Office of Juvenile Justice and Delinquency Prevention. These tasks could not be accomplished without the partnership between the National Coalition and their hardworking staff, another result of the increased efficiency of the National Coalition. There is, also, today a working partnership between the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the National Coalition.

The National Coalition is committed to the intent, purpose, and mandates of the Juvenile Justice and Delinquency Prevention Act. Because of that, the National Coalition believes:

- *that no child belongs in an adult jail;*
- *that status offenders are best helped in their own community surrounded by supportive persons, whether kin or care giver;*
- *that prevention and early intervention combined with services for the serious juvenile offender are the keys to surmounting delinquency;*
- *that working together is the only way to achieve those beliefs, and further,*
- *that those beliefs are only worth achieving if done so for all our children - rich or poor, city born or country bred, red, yellow, black or white.*

Consequently, in April of 1991, the Board of Directors of the National Coalition, meeting at the Annual Spring Training Conference, addressed issues and prepared materials surrounding the reauthorization of the Act. I will touch on those issues in this testimony.

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Because of the National Coalition, State Advisory Groups (SAGs) have increased member training activities. At least three times each year, members can share their experiences with peers in other states and learn new techniques from national experts during national and regional training sessions. A cadre of experienced SAG members now exists to train their contemporaries on issues of juvenile justice & delinquency prevention, as well as the mechanics of empowering State Advisory Groups. This training and informative discussion must continue. The development of a clearinghouse function in the National Coalition office for information on state activities and state-of-the art research is the next step in augmenting the training of the SAGs and the exchanging of program information.

National Coalition members, because they are local folk, know policy, systems, and programming at the state and local level. As a result, the National Coalition is developing policy papers on issues related to juvenile justice and delinquency prevention. Papers on the deinstitutionalization of status offenders and jail removal will be ready for this year's Annual Spring Training Conference. Another on minority overrepresentation is in the offing.

During the last several years, the National Coalition worked hard at involving youth members in the decision-making and advocacy process. There is now a Youth Member elected to the National Steering Committee (the executive committee of the National Coalition). Funds are being solicited from private sources to assure the attendance at the Annual Spring Training Conference of one youth member from each state.

The Regional Coalition structure has been enhanced. States have a greater voice and chance for participation in all aspects of the National Coalition. Each Regional Coalition now meets together for training and business as a region at least once each year other than during the national meetings.

The National Coalition believes that its partnership role in advising the President, the Congress, and OJJDP should be preserved. The independence of the National Coalition must continue so that it may be a constructive critic of OJJDP and of Federal efforts in juvenile justice and delinquency prevention. The National Coalition believes that the role should evolve further into one with specific oversight responsibilities concerning actions taken by OJJDP - local citizen oversight of federal policy and programming.

III. The State Advisory Groups

The Act establishes a unique partnership between the federal government and committed citizen volunteers from individual states. State Advisory Groups (SAGs) are described in Section 223(a)(3) of the JJDP Act. The Act mandates gubernatorial appointments to SAGs to enhance credibility, influence, and commitment. These collaborative, collective relationships are not dinosaurs ready for extinction. Instead, they are representative groups actively involved in educating the public about juvenile justice concerns and the needs of youth caught up in the downward swirl of delinquency and crime. SAGs are comprised of a broad-based collection of public officials and citizen volunteers with interest and expertise in the field of juvenile justice and delinquency prevention. The SAG experience allows citizen input into federal policy and programming. Those partnerships again - between rural and urban; theoretician and practitioner; expert and volunteer.

SAGs are key to the successes achieved under the Juvenile Justice and Delinquency Prevention Act. They are charged among other things with the responsibilities of:

1) developing comprehensive 3-year state plans to carry out the Congressional mandates;
2) funding programs to implement the plans;
3) advising their Governors and state legislators on matters concerning juvenile justice; and
4) seeking regular input from juveniles in the juvenile justice system.

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Their 3-year comprehensive plans allow individual states to address juvenile crime and delinquency, gangs, drugs, and minority overrepresentation - at the state and local level. Public hearings, research and data collection, and retreats hone the process. Through the comprehensive 3-year plan of work, the states build those partnerships necessary to impact the problems of today's young people. Consequently, any program dealing with juvenile justice and delinquency prevention, including planning and funding for at-risk or drug abuse programs, should be funneled through Title II's State Advisory Group planning process.

IV. Juvenile Justice Specialists

State Juvenile Justice Specialists provide the staff support and professional leadership necessary to enable the SAGs to perform their functions effectively under the Act. Specialists are the glue that holds the Act together. These knowledgeable, highly motivated individuals from each state have a deep commitment to the principles of the Juvenile Justice and Delinquency Prevention Act.

Given the tremendous efforts required to comply with the Act, anything less than one dedicated full-time Specialist in each state is unworkable. Unfortunately, several states appear to be considering cutbacks or reorganization in JJDP Act staff. In place of one identifiable Specialist, these states propose to distribute the responsibilities between a number of other staff. Because of the JJDP Act's strong and creative federal direction, it requires careful documentation and reporting. Splitting the responsibilities will cause fragmentation. No one person will be available, responsible, or capable of making needed decisions based on a thorough knowledge of the Act. Specialists have a tremendous amount of federal and state accountability - accountability which should continue. However, that accountability can only be achieved through the expertise of the Specialist.

We understand the reluctance of government to encroach upon local decision making. Unfortunately in this case, such a philosophy overlooks the practical need of a full-time Specialist who knows his or her job. One of the strongest selection criteria used for funding projects at the local level is the expertise and reliability of program staff. Programs are only as good as the staff who run them. Fragmented staff run fragmented programs. We ask for careful consideration of this issue. States need at least one full-time Specialist each.

V. The Office of Juvenile Justice & Delinquency Prevention U.S. Dept. of Justice

The Office of Juvenile Justice and Delinquency Prevention, within the Department of Justice, is the principal vehicle for a federal focus on juvenile justice and delinquency prevention. The single most important function of OJJDP is implementation of Title II of the Act. A primary task of that function is to provide responsive support to the State Advisory Groups. OJJDP must be staffed to interact with the states in an efficient, timely, and professional manner. Currently, the Office is under-staffed. Additional staff or at least a reallocation of existing staff may be necessary. There is no Deputy Director. There are roughly 62 staff positions anticipated for OJJDP in the Justice Department's budget justification but only 52 actual staff members. Thus, states needing help and technical assistance are unable to obtain it. Thankfully, Community Research Associates (CRA) provides consistent and quality technical assistance to the states. (This particular partnership must remain strong.)

OJJDP must be a dedicated advocate for positive change in the area of juvenile justice and delinquency prevention. Unfortunately, from time to time administrators have their own priorities - priorities which do not always mesh with those established by Congress. This is not peculiar to any one administrator, but has happened across administrations. So much more could be accomplished if the Office was involved in identifying model programs and activities directly related to the mission of the Act. The National Coalition can assist OJJDP in collecting and disseminating information about model programs. An increased emphasis on technical assistance and delinquency prevention coupled with a greater commitment to the partnership between the National Coalition and OJJDP will help states to meet the mandates of the Act, rather than struggle so with them.

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Many delinquent youth were also abused or neglected. Title III's runaways or Title IV's missing children sometimes become Title II's delinquents. We cannot ignore the fact that drug-abusing or gang-involved juveniles commit a major portion of juvenile crime. All of these kids need help. Thus, the Administrator should provide greater leadership within the Coordinating Council on Juvenile Justice and Delinquency Prevention. Coordination within the group is difficult. Funds from the various Departments are disbursed to states through discrete channels without much communication. The active leadership of the OJJDP Administrator could ensure greater cooperation and coordination among those agencies responsible for runaways, drug abuse, child abuse and neglect, and other activities involving at-risk children. The Coordinating Council could be used effectively to combine responsibilities among agencies for funding, training, and technical assistance - coordination and collaboration from the top.

OJJDP is responsible for a comprehensive plan describing the particular activities the Administrator intends to carry out with regard to the Act. It seems that the Office of Justice Programs (OJP) charted the agenda in the 1991 OJJDP Comprehensive Plan. This is the first time this happened and it sets an unacceptable precedent. The Act structures the Office as an independent entity for carrying out its goals. We agree that the administration of the Act should continue within the Department of Justice in the Office of Juvenile Justice and Delinquency Prevention. But, it makes more sense for the Administrator of the Office to report directly to the Attorney General, especially since juvenile crime is so in the forefront. OJJDP's mission is equally as important as the Criminal, Civil, and Tax Divisions. Such independence and visibility will keep a spotlight on juvenile crime and delinquency prevention strategies.

There must be greater interaction between OJJDP, the National Coalition, and the State Advisory Groups in carrying out the purpose of the Act. There must be a true partnership of caring, concern, and communication. Recently, OJJDP reorganized the assignments of states to state representatives. The reorganization conformed to the National Coalition's regional coalition groupings. Although delighted at the willingness to coordinate teams in an organized manner, the National Coalition was perplexed as OJJDP did this without even mentioning the idea to the Coalition. Collaborative and cooperative partnerships can not be achieved without communication. We ask that you, through the Act, prompt OJJDP to take part in encouraging and rewarding collaboration within and among states and territories and with the National Coalition.

VI. Mission and Mandates of the Juvenile Justice & Delinquency Prevention Act

The National Coalition reaffirms its unwavering support for the purpose and mandates of the Act:

- *removing status offenders from secure facilities;*
- *separating juveniles from adults in secure facilities, jails, and lock-ups;*
- *removing juveniles from jails, lock-ups, and other adult facilities;*
- *preventing delinquency;*
- *eliminating the overrepresentation of children of color in the juvenile justice system;*
- *modifying the formula for the Native American pass through.*

The Coalition believes that compliance with the mandates should be accomplished through incentives. Jurisdictions should not be allowed to cut corners in meeting the mandates nor should they be summarily kicked out. OJJDP can and should encourage creative methods for stimulating state actions. Rules should not be changed to accommodate states to sidestep the mandates of the Act. Ideas, such as providing additional funds to states becoming involved in interagency cooperation and collaboration are exciting. Speaking from a purely local, service-provider view-point, working together is the only way to get anything done. We in the trenches have known that for a long time. We let the state agencies hash it out, while at the local level we go ahead and do what needs to be done - together.

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The Coalition overwhelmingly rejects any relaxation of the standards of compliance set forth in the Act. We oppose any further extension or modification of the deadlines for compliance with the Act. States should be encouraged and rewarded in complying with the Act, not embarrassed and defunded. Nor should rules be changed to allow give a facade of compliance. We don't change the law to accommodate misbehavior by juveniles, therefore, we shouldn't change the law (or regulations) to allow some states to circumvent the Act.

For states not in compliance, conditions should be established to encourage participation within consistent guidelines not arbitrary changes. The National Coalition's seventh annual report, A Unique Partnership for Children, suggests that there be two categories - compliant and non-compliant. A non-compliant state would receive basic administrative funds. The Specialist role would be to insure a focus within the state on coming into compliance and for participation with other states via the National Coalition. Non-compliant states could be rewarded accordingly as they come into compliance with the various mandates of the Act.

Incidentally, the Act should be amended to require compliance by all federal agencies having any jurisdiction over juveniles - two examples, the Immigration and Naturalization Service and the Bureau of Indian Affairs. This is particularly true for the mandate for removing juveniles from adult facilities. Why? If a Native American youth living on a reservation commits a delinquent offense, he or she can now be held in an adult setting; a Mexican youth who gets into trouble in the States can be shuffled from adult jail to adult jail on the way back to his or her home Country. These kids should have the same rights and receive the same treatment as any other child caught up in the legal system.

A. Sight and Sound Separation

The Act mandated initially that juveniles be held out of both the sight and sound of adult prisoners. There were unintended consequences from the separation effort. Overcrowding, old facilities ill-suited for separation and scarce resources frequently resulted in youth being separated into total isolation. There was limited treatment in those facilities and it was usually medical in nature. There were no schools in the adult facilities. So, a child already behind in academics fell further behind. To remedy this, the Act was amended in 1980 to require the complete removal of juveniles from adult jails and lockups by December of 1988. Architectural separation of juveniles from adults in adult facilities was no longer an acceptable strategy for detaining and protecting juveniles while also protecting the public. Architectural separation doesn't work.

B. Jail Removal

...no juvenile shall be detained or confined in any jail or lock up for adults... [Section 223(a)(14)]. With the leadership and support of both the National Coalition and its State Advisory Groups, advocates for jail removal worked valiantly over the years to comply with this mandate. Neither substantial nor full compliance has come quickly. Some states have had an easier time than others. States used various methods, including programming, legislation, state regulations, and litigation, all with diverse results.

The National Coalition believes that no child belongs in any locked adult facility. No amount of fire walls, side entrances, cleared elevators or time-phased staff can change an adult facility into a juvenile facility. If kids are held within the same 4 walls of an adult jail, they perceive of themselves as doing time in an adult jail. The reality taught by that perception is that they can live through jail and come out the other side - somewhat less innocent and less compassionate - but what do juvenile delinquents need with innocence and compassion anyway? The public needs to be protected; some kids need to locked up, but not in an adult facility. A 15-year old within reach of a 35-year old is not a good idea. For the habitual offender whose charges are serious, detention is unavoidable and may be necessary for the protection of the public, but the detention must occur within a juvenile facility. (By the way, once the juvenile facility door is locked, protection of the offender in terms of the conditions of confinement i.e. degree of restriction, the length of stay, and services then become critical.) We view enhanced forms of separation such as co-location as only an intermediate step towards the goal of jail removal. Co-location of juveniles within adult facilities is not jail removal. Therefore, the National Coalition urges that the language of the Act be amended to strengthen and tighten the standards for jail removal narrowing any opportunity for loosening those standards. The architectural loophole must be closed. Recognizing a need for practicality in states and territories having large rural or remote populations, we suggest that Congress reexamine the Act's provisions regarding the physical difficulties inherent in accessing secure detention.

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Not only are states willing to remove juveniles totally from adult jails they are also willing to pick up the funding to help the process succeed. People want to do the right thing. They want guidance on how to effect it, how to afford it and who will be affected. In 1979, the Michigan SAG funded a pilot project to remove status offenders from adult jails in Michigan's rural upper peninsula, replete with geographic and logistical obstacles. In 1980, using formula grant funds, their Department of Social Services developed a network of services for status offenders and alternatives to adult lockups and jails. The model eventually was replicated across the entire state. The alternative services network, now state funded, currently covers most of Michigan. The Oklahoma SAG funded a statewide system of alternatives to detention, including home bound detention, attendant care, and court shelter homes as part of their jail removal strategy. The SAG funded the alternatives on a decreasing basis for four years. The State Department of Human Services increased their funding each of those four years. The state now shoulders the programming and funding entirely.

C. The Deinstitutionalization of Status Offenders

Status offenders: those youth who engage in behaviors that would not be crimes if committed by adults, such as breaking curfew, running away from home, truancy, and in some states alcohol violations. The behaviors are proscribed by the state simply because of the offender's "status" as a minor or juvenile.

One of the goals of the 1974 Act was the removal of status offenders and nonoffenders (abused or neglected children) from secure facilities and instead referral to community-based agencies (some of which were residential). In the twenty years since the movement to deinstitutionalize status offenders began in earnest, states have made considerable progress. But most have joined the effort to remove status offenders from secure facilities by using some form of diversion processing and non-secure program alternatives in the community. As with other mandates of the Act, some have been more successful than others.

In 1967, the President's Crime Commission strongly advocated diversion from the juvenile justice system as an appropriate method of handling status offenders and minor delinquent offenders. Youth Service Bureaus, funded by the Department of Justice, emerged across the country. Eventually, most of the Federal funding was eliminated and the community-based bureaus were supplanted by diversion programs operated by government. There is one strong band of holdouts. Thirteen centers were begun with those funds circa 1969 in Oklahoma. Today the Youth Service Centers are mandated by state law and serve over 15,000 Oklahoma children each year. Youth & Family, where I work, is one such center. The State of Oklahoma appropriates roughly $11 million in general revenue funds to Youth Service Centers for community-based prevention, diversion and shelter services. Those Oklahoma Centers blend state dollars with funds from Title II of the Act for first time offender programs, alternative-to-detention programs, summer recreation, citizenship activities, and school-based counseling. The community-based Centers blend state dollars with funds from Title III of the act to shelter and help, rather than lock up and punish, status offenders - another unique federal, state and local partnership fostered by the JJDP Act. The Oklahoma experience is unhappily the exception and not the rule. For the most part, diversion is controlled increasingly by juvenile justice system agencies rather than the broader community.

It's true that all status offenders may not become delinquents, but it's a good bet that most status offenders are involved in delinquent offenses and vice versa. When resources aren't made available to establish community-based treatment, diversion, and prevention programs, this becomes an even greater problem for communities. While contact with the juvenile court can never be entirely avoided, for many children penetration into the system can be minimal. Prevention and family preservation services, probation, foster homes, or group homes rather than detention or incarceration is the answer.

1. Valid Court Order

One can't conceive of the status offender issue without it's companion the "valid court order." The Valid Court Order exception of 1980 (See Section 223(a)(12)(A)) constituted a setback in the removal of status offenders from secure institutions. The valid court order exception allows a status offender to be incarcerated in a secure facility. The National Coalition believes that Congress should examine the valid court order exception in light of the April, 1991 GAO study, "Non criminal Juveniles." The Act should be amended to restrict to extreme circumstances the availability of the exception. The Act should require procedural safeguards during the decision to issue such an order, and, if issued, services must be available for the detained status offender. However, detention of status offenders must occur within a juvenile facility and never within an adult facility.

2. Community Based Services

The Act states that the policy of Congress is to provide the necessary resources, leadership, and coordination:

- *to develop and implement effective methods of preventing and reducing juvenile delinquency, including methods with a special focus on maintaining and strengthening the family unit so that juveniles may be retained in their homes;*
- *to develop and conduct effective programs to prevent delinquency;*
- *to divert juveniles from the traditional juvenile justice system; and,*
- *to provide critically needed alternatives to institutionalization.*

Every delinquent or status offender, whether housed in small, community-based programs or large training centers, eventually returns to the community. Planning for this goal starts the day a child is admitted to an out-of-home placement. Efforts must be continued to research and implement transitional programming for those kids. To be effective, this programming must recognize that a youth's successful return to the community as a productive citizen is the primary goal. The cooperative resources of the placement and the community must be applied to effect that success. Individualized assessment for community treatment through multidisciplinary teams with money that follows a child are key to success.

The State Advisory Groups and their National Coalition continue to advocate strongly and persistently for community-based treatment for delinquent and status offenders.

3. Private Psychiatric Hospitals

While large numbers of status offenders and nonoffenders are no longer housed in juvenile correctional institutions, there is growing concern that many are being shifted to equally restrictive drug treatment or mental health programs; some without any due process safeguards. These trans-institutionalized youth appear to be primarily youth from white, middle-class, "insured" America. (Children of color and poor white children occupy the beds in our nation's public correctional institutions.)

Institutionalized people become dependant upon the institutional environment. They can't make it in the real world. Institutionalization, in general, may stigmatize children. Psychiatric institutions also may allow juveniles to abdicate responsibility for their actions because they are "too ill to know what they are doing." The private psychiatric hospital issue allows America to abdicate its responsibility to the needs of families and children - an easy but very expensive way out.

The National Coalition urges that the Act place a greater focus on conditions within institutions and alternatives to inappropriate institutional confinement. The National Coalition urges Congress to call for a study of the increasing use of psychiatric hospitals and other secure residential treatment programs for children who might have been previously institutionalized as status offenders.

D. Native American Pass-through Funding

In its 1988 amendments to the Act, Congress incorporated pass-through funding for programs for Indian Tribes that perform law enforcement functions, and that agree to comply with other mandates regarding lockups.

The pass-through funding amendment was well-intended and much needed. However, the amount of funds passed through for the specific use of Native Americans depends on their percentage of the total youth population in each state and a tribal law enforcement function. As a result, its impact to date has been negligible. An example, the State of Oklahoma, known for many tribes and a large population of recognized Indian tribes, received only $476.66 in pass-through funds in 1990. See attachment 4 for a full list. To remedy this, the Oklahoma SAG earmarked $100,000 of their formula grant funds for help with Tribes. To assess the actual need, the Oklahoma SAG held a series of public hearings with Tribal leaders and members. A list of priorities was prepared with funds granted according to the list. Another example of collaboration at the local level for solutions to local problems, thanks to the JJDP Act.

Since the current pass-through formula is inadequate to even begin to assess the problems of Native Americans, the National Coalition asks Congress to develop a new formula for providing adequate resources for Native Americans to address their unique juvenile justice problems in addition to the funds allocated through formula grants.

VII. Overrepresentation of Children of Color in the Juvenile Justice System

Overrepresentation and differential treatment of children of color within the juvenile justice system are evident along the entire continuum of that system. The extent to which such disproportionate representation exists in each state, the points of occurrence in the juvenile justice process, and the reasons for the occurrences are not clear. In 1988, the National Coalition was successful in seeking amendment of the Act to require the states to eliminate the overrepresentation of minority youth in secure confinement.

States have, for the most part, just begun to create data collection systems. Actual program and policy strategies will come later. A few states have already collected data necessary to determine action. Iowa and New Jersey, for example, are beginning to zero in on strategies for specific areas with disproportionally high numbers.

VIII. Formula Grants

The formula grant program is the heart and soul of the Juvenile Justice and Delinquency Prevention Act. In accordance with the Act, it is the principal tool for bringing about meaningful change in juvenile justice systems and in preventing juvenile delinquency. Congress must significantly increase formula grant funds to enable the states to work more effectively. The increase would be yet another incentive to stimulate compliance with the Act. Once funded, OJJDP must carefully steward the formula grant program in the states. A primary goal of the Office is to administer this program as effectively, imaginatively, and consistently as possible.

Over the 12 years from 1980 until 1992 alone, the problems faced by today's youth and the mandates of the Act increased dramatically while funding decreased. The amounts now provided to states and territories often are just not enough to take the required steps to comply with the Act. The 1992 allocation left 17 states with only $325,000 each under the Formula Grants Program. The mandates of the Act, which states must meet, address crime and delinquency both highly visible and difficult issues. Nevertheless, states are facing difficult economic times. Fewer and fewer state and local dollars are available to invest in programs for youth. Act funds were once used to create programs which were then adopted and funded by state and local governments when their efficacy was established. Today this happens only infrequently. The

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problems of America's youth have become more complex since 1980, and the resources allocated to address those problems have shrunk in real terms at all levels. Additional funds are necessary to address the Act's specific mandates. Much has been accomplished in these areas over the years through the partnership forged by the Act between the federal government and the states. Much, however, remains to be done.

IX. Discretionary Grants

The discretionary grant program gives the Administrator of OJJDP the authority to make grants to and contract with eligible entities to address issues directly related to those described in the formula grants section. In reality, the majority of funds are earmarked for specific entities. This coupled with the fact that discretionary grants are frequently the source of funds to carry out the particular ideological agendas of various Administrators. This, too, crosses all administrations. The National Coalition recognizes that a certain amount of this is, perhaps, inevitable. Consequently, OJJDP should be directed to use the discretionary funds allocated to it to address special and unusual problems related to achieving the mandates within the states. Model programs to address problems presented by geography, distance, and topography are timely. Other areas ripe for assistance are jail removal, minority over-representation, the overuse and overcrowding of secure detention, the deplorable condition of many juvenile correctional facilities, effective counsel to represent delinquent youth, the status of waiver or certification, and delinquency prevention. The list goes on and on.

Discretionary funds for training and technical assistance are also allocated unevenly across the juvenile justice system. Large sums have been allocated over the years to support training and technical assistance for judges and prosecutors. In recent years, juvenile correctional personnel were added. This is wonderful. Yet, as we approach the twenty-fifth anniversary of the Gault decision, it appears that many juveniles are being denied entirely their right to effective counsel. Others are receiving perfunctory representation from court-appointed lawyers or lawyer guardians ad litem for abused and neglected children. OJJDP is the only agency specifically charged with a focus on delinquent youth. All funds allotted to it should be reserved for that focus. The National Coalition asks that OJJDP fund functions or service categories based on special and unusual local needs of children as outlined in the comprehensive 3-year state plans.

X. Other areas of concern -

A. Waiver

The decision for waiver, or certification, to adult courts generally has been within the discretion of the juvenile court based on certain statutorily-defined criteria. The process of certification to stand trail as an adult has different names in different states. Transfer, waiver, jurisdictional hearing, fitness hearing, and certification are the most common. Certification is reportedly on the increase, yet, very little has been done to study this trend and the effect it has on juveniles or the system. In light of this, the National Coalition believes that there needs to be a formal study to determine what actually is happening. We urge Congress to call for a GAO study of certification or waiver practices across the country, with particular attention paid to the effect on minority representation.

B. Special Education Needs

Research indicates that incarcerated juveniles have a higher incidence of special educational needs than do adolescents on the whole. An increasing number of the juveniles committed to correctional and detention facilities around the country are eligible for special education services under the Individuals with Disabilities Education Act. The special education, individualized educational program, requires individual tailoring of educational programs in rehabilitative settings. The Act acknowledges this reality with a specific focus on learning-disabled youth. We support this philosophy.

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C. Standards

The 1970s were a decade of standards promulgation in juvenile justice. At least three separate sets of comprehensive juvenile justice standards were issued by groups concerned with the reform of juvenile justice policy and systems. Little attention has been paid by OJJDP to any of the standards. Because of more current research, the standards need to be updated, annotated, and finalized. They need to be disseminated through the OJJDP as part of its technical assistance effort. They need to be in the hands of policy makers at the local level, not left to collect dust in federal archives.

D. Advocacy Efforts

The 1988 amendments to the Act required OJJDP to fund "advocacy activities" as a part of the Special Emphasis Prevention and Treatment Programs. Yet, little attention has been paid to this mandate by OJJDP. We would like to see that change. Funding for advocacy efforts could include expanded ombudsman programs or other independent programs dealing with conditions in detention or correctional settings, and to the provision of counsel to children facing trial on delinquency or status offense charges. Because there is a growing belief that the "right to counsel" should be an unwaivable right where children are concerned, training of effective counsel is especially deserving of support and promotion by OJJDP.

XI. How to Accomplish All of This?

The Act provides a foundation of local participation in state planning for federal policy on juvenile justice and delinquency prevention. Solid funding and sound administration modeled at the federal level sets the process in motion. SAGs through their planning and expertise build on that foundation. Interdisciplinary services for children, including interagency groups such as prescriptive or multidisciplinary teams are tools used in the process. Blending funds prevents costly, unnecessary duplication. Flexible funds that follow a child rather than force him or her into an inappropriate program, build yet another part of the structure. The Act requires coordination, cooperation, and collaboration to work - all components of a good partnership.

XII. Closing

Someone once asked, '...can we, in all our wealth and power, afford the loss of a single American child?' The answer to that question begins with our commitment to children before they become one of the Jamies of the world. Jamie's way of handling his many problems was to run away from them. We have to stop the anger at the Jamies of the world and heed their cries for help. We have to stop running from our own responsibility and see that kids receive help and not punishment for their original behavior.

Most folks don't understand or like delinquents or status offenders. To be honest, lots of people don't want them around. They want them locked up, out of sight out of mind. Without us continually reminding people that although the Jamies of the world may have done some pretty bad things, they really aren't bad kids; that's exactly what will happen - lock them up and throw away the key.

According to the a well-known author on leadership, '...leaders are renewers, shapers of what might be rather than servants of what is.' Those leaders in 1974 had visions of justice for juveniles, yes, even of preventing delinquency. It's time to renew those visions again.

The partnerships forged in 1974 remain. New ones continually form. Ours, between Congress, the National Coalition, the State Advisory Groups, Juvenile Justice Specialists, and the office of Juvenile Justice and Delinquency Prevention needs to be strengthened. Such partnerships are important to the Jamies of the world. Such partnerships heed the cries of each Jamie in every community.

Again, my deepest thanks and appreciation for the opportunity to take part in the operation of my government.

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ATTACHMENT 1

Project name	Soledad Enrichment Program A Gang Violence Suppression Project
Agency/organization	Catholic Charities of East Los Angeles Los Angeles, California
Project Director	Greg Fitzgerald
Phone	(213)251-3259
Amount received	$56,316

The Soledad Enrichment Program (SEA) is a viable alternative to the existing education programs for students identified as gang members. The SEA school program provides a structured environment for independent study programs for high risk youth or gang members not able to attend regular programs. Other services created by the project include counseling and networking of services within the community. In addition to this, SEA offers parenting and conflict resolution classes.

Project name	Home Detention Program
Agency/organization	DuPage County Youth Home DuPage County, Illinois
Project Director	Patricia McGrath
Phone	(708)682-7356
Amount received	$95,000

The program is used as an alternative to secure detention and as a means of reintegration into the community for use of for juveniles being released from secure detention. Through this program and the use of improved screening criteria, the number of DuPage County youth being placed in secure detention is beginning to be reduced.

Project name	Drop-Out Prevention Project
Agency/organization	Yonkers Bureau of Youth Services Yonkers, New York
Amount received	$14,815

The pilot program demonstrates that continuity and prompt availability of drop out preventive services can maximize the chances for significant and positive outcomes when dealing with inner-city youth. The project will provide follow-up services to twenty-five eighth graders identified in the first year and will serve seventh graders the second year.

ATTACHMENT 1

Project name:	Streetwise
Agency/organization:	Youth & Family Resource Center Shawnee, Oklahoma
Project Director:	Angela Carter
Phone:	(405)275-3340
Amount received:	$2,940

Streetwise is a program for first-time offenders that teaches juveniles the consequences of not following the law. Youth learn that they alone are responsible for their behavior and that their actions also affect family, friends, and innocent victims. Presentations by community professionals and role play activities allow students to see how the justice system works from the inside and give the sense of community necessary for good citizenship. Visits to correctional and court facilities offer a first-hand look at the consequences of illegal behavior.

Project name:	YWCA Youth Crisis Center: A Community Response
Agency/Organization:	Young Women's Christian Association St. Joseph, Missouri
Project Director:	Aline Pfeifer
Phone:	(816)232-4481
Amount received:	$21,940

The program is for youth identified as status offenders and their families. The project promises to provide emergency shelter care, crisis intervention, community networking and volunteer advocates. The program will serve as an alternative to referral to the juvenile court. Youth are referred prior to intake and adjudication.

ATTACHMENT 2

OFFICE OF JUSTICE PROGRAMS

Distribution of Juvenile Justice Formula Grants by State - FY 1992

State	Amount	State	Amount
Alabama	$769,000	New Jersey	$1,307,750
Alaska	325,000	New Mexico	325,000
Arizona	713,000	New York	3,095,000
Arkansas	451,000	North Carolina	1,167,000
California	5,632,000	North Dakota	325,000
Colorado	626,000	Ohio	2,034,000
Connecticut	545,000	Oklahoma	608,000
Delaware	325,000	Oregon	526,000
Florida	2,083,000	Pennsylvania	2,031,000
Georgia	1,255,000	Rhode Island	325,000
Hawaii	325,000	South Carolina	669,000
Idaho	325,000	South Dakota	325,000
Illinois	2,141,000	Tennessee	884,000
Indiana	1,058,000	Texas	3,514,000
Iowa	522,000	Utah	456,000
Kansas	481,000	Vermont	325,000
Kentucky	693,000	Virginia	1,093,000
Louisiana	892,000	Washington	917,000
Maine	325,000	West Virginia	325,000
Maryland	844,000	Wisconsin	937,000
Massachusetts	983,000	Wyoming	325,000
Michigan	1,787,000	Dist. of Columbia	325,000
Minnesota	848,000	American Samoa	75,000
Mississippi	543,000	Guam	75,000
Missouri	955,000	Puerto Rico	839,000
Montana	325,000	Virgin Islands	75,000
Nebraska	325,000	Republic of Palau*	11,250
Nevada	325,000	N. Mariana Islands	75,000
New Hampshire	325,000	Total	49,735,000

Note: Population figures for the States, Puerto Rico and Virgin Islands are based on Bureau of Census 1990 Census. Allocations for territories of American Samoa, Guam, and Northern Mariana Islands are based on 1980 Census.

* Formerly one award to Trust Territory of the Pacific Islands, until FY 1987. At that time, P.L. 99-658 (amendment to P.L. 99-239) established a decreasing formula for funding to Marshall Islands and Micronesia; Republic of Palau allocation remained the same. Effective in FY 1990, Micronesia and Marshall Islands are eliminated for eligibility to receive funds by the Compact of Free Association.

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ATTACHMENT 3

U.S. Department of Justice

Office of Justice Programs

Office of Juvenile Justice and
Delinquency Prevention

Washington, D.C. 20531

SUMMARY OF STATE COMPLIANCE WITH SECTIONS 223(a)(12), (13) AND (14) OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974, AS AMENDED (JJDP ACT) - BASED ON 1989 DATA

March, 1992 Status Report

Fifty-seven States were eligible to participate in the 1991 JJDP Act Formula Grants Program. The State of South Dakota is not participating; however, the Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has made South Dakota's allotment, pursuant to the provisions of Section 222(a) of the Act, available to local public and private non-profit agencies within the State for use in carrying out the purposes of Sections 223(a)(12)A, (13), and (14).

Following is a summary of compliance by States with Section 223(a), Paragraphs (12)(A), (13), and (14) of the JJDP Act, based on their 1989 Monitoring Reports, which normally determine eligibility for FY 1991 Formula Grant funds. Each participating State's annual Monitoring Report is based on data collected by the State from secure juvenile and adult facilities. Data collection by the States involves self-reporting by facilities to a State agency, on-site data collection by a State agency, or a combination of these methods. All State agencies administering the JJDP Formula Grants Program are required to verify data which is self-reported by facilities, and data received from other State agencies.

I. Section 223(a)(12)(A)
Deinstitutionalization of Status and Nonoffenders (DSO)

Eleven States are in full compliance with DSO based on zero violations of Section 223(a)(12)(A):

American Samoa
Gaum
Nebraska
New Hampshire
No. Marianas
Palau
Pennsylvania
Puerto Rico
Rhode Island
Virgin Islands
West Virginia

Forty-one States are in full compliance with de minimis exceptions to Section 223(a)(12)(A), viz., less than 29.4 violations per 100,000 persons under age 18 in the State:

Alabama
Alaska
Arizona
Arkansas
California
Colorado
Connecticut
Dist. of Col.
Delaware
Florida
Georgia[1]
Hawaii
Idaho[1]
Illinois
Indiana
Iowa
Kansas
Louisiana
Maine
Maryland
Massachusetts
Michigan
Minnesota
Mississippi
Missouri[1]
Montana
New Jersey
New Mexico[2]
New York
North Carolina
Ohio
Oklahoma
Oregon
South Carolina
Tennessee
Texas
Utah
Vermont
Virginia
Washington
Wisconsin

Reports of two States which recently began participating in the Formula Grants Program are not yet due:

North Dakota
Wyoming

One State that recently began participation in the Formula Grant Program demonstrated progress toward compliance with Section 223(a)(12)(A), as required in order to qualify for award:

Nevada

One State is out of compliance with Section 223(a)(12):

Kentucky

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[1] Above the maximum allowable de minimis rate. Determined to be in full compliance with de minimis exceptions based on Exceptional Circumstance No. 1 (out-of-state run-aways), pursuant to the January 8, 1981, Federal Register (46 FR 2567).

[2] Above the maximum allowable de minimis rate. Determined to be in full compliance with de minimis exceptions based on Exceptional Circumstance No. 2 (Federal wards), pursuant to the January 8, 1981, Federal Register (46 FR 2567).

II. SECTION 223(a)(13)
Separation of Juvenile and Adult Offenders

Twenty-nine States are in compliance with the separation provision, Section 223(a)(13) of the JJDP Act, based on zero violations:

American Samoa
California
Delaware
Guam
Illinois
Maine
Maryland
Massachusetts
Michigan
Minnesota
Missouri
Nebraska
Nevada
New Mexico
New York
North Carolina
Ohio
Oklahoma
Oregon
Palau
Pennsylvania
Puerto Rico
Rhode Island
Texas
Utah
Vermont
Virginia
Washington
Wisconsin

Twelve States are in compliance with separation based on the regulatory criteria set forth at Section 31.303(f)(6)(ii) of the OJJDP Formula Grants Regulations (28 CFR 31), published in the June 20, 1985, Federal Register: (noncompliant incidents are in violation of State law and no pattern or practice exists)

Alabama
Connecticut
Florida
Idaho
Iowa
Louisiana
New Jersey
New Hampshire
No. Marianas
South Carolina
Virgin Islands
West Virginia

Eleven States had not reached their respective compliance deadline during this reporting period but demonstrated progress toward compliance with separation as required by Section 31.303(d)(2) of the OJJDP Formula Grants Regulation (28 CFR 31): (designated dates for compliance are indicated next to the States)

Alaska	12/91	Dist. of Col.	9/92	Mississippi	12/91
Arizona	12/92	Georgia	1/90	Montana	12/93
Arkansas	12/91	Indiana	12/91	Tennessee	12/90
Colorado	12/92	Kansas	1/93		

Two States were not required to submit reports on 1989 data because they only recently began participating in the Formula Grant Program.

North Dakota - Began participating in 1989. Will report 1990 data.
Wyoming - Began participating in 1990. Will report 1991 data

One State is awaiting final determination of compliance with Section 223(a)(13) pending the submission and/or analysis of additional information:

Hawaii

One State is out of compliance with Section 223(a)(13), and has not requested a change in the designated date for compliance:

Kentucky

III. SECTION 223(a)(14)
Jail and Lockup Removal

All participating States' 1989 Monitoring Reports are required to demonstrate full compliance with the jail and lockup removal requirement. The 1988 Amendments to the JJDP Act established an alternative sanction for those States that fail to achieve full compliance with Section 223(a)(14). The Administrator may waive termination of a State's eligibility to receive Formula Grant funds, if the State agrees to expend all of its Formula Grant funds (except planning and administration, State advisory group, and Indian tribe pass-through) on jail and lockup removal.

Seven States are in full compliance with jail and lockup removal based on zero violations of Section 223(a)(14):

American Samoa
Dist. of Col.

Guam
North Carolina

Oregon
Virgin Islands
West Virginia

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Thirty-two States are in full compliance with de minimis exceptions to Section 223(a)(14), i.e., less than nine (9) violations per 100,000 juvenile population in the State:

Alabama
Arizona[3]
Arkansas[3]
California
Colorado
Connecticut
Delaware
Florida[3]
Georgia
Idaho[3]
Iowa
Louisiana
Maryland
Minnesota
Missouri
Montana[3]
Nevada
New Jersey
New York
No. Marianas
Ohio
Oklahoma
Palau
Pennsylvania
Puerto Rico
Rhode Island
Tennessee
Texas
Utah
Vermont
Virginia
Washington

Six States have not demonstrated full compliance with Section 223 (a)(14) but were awarded FY 1991 funds through the waiver provision:

Indiana
Kansas
Maine
Michigan
Nebraska
South Carolina

Five States have not demonstrated full compliance with Section 223(a)(14). These states, however, may be eligible for a waiver of termination of eligibility for 1991 Formula Grant funds, pursuant to Section 223(c)(3) of the JJDP Act:

Alaska
Illinois
Massachusetts
New Mexico
New Hampshire

Monitoring reports from two States that recently began participating in the Formula Grants Program are not yet due:

North Dakota
Wyoming

One State is awaiting final determination of compliance with Section 223(a)(14) pending submission and/or analysis of additional information:

Hawaii

---

[3] Above the maximum allowable de minimis rate. Determined to be in full compliance with de minimis exceptions based on the exceptional circumstance for recently enacted legislation pursuant to Section 31.303(f)(6)(iii)(B)(2) of the OJJDP Formula Grants Regulation (28 CFR 31), which was published in the November 2, 1988, Federal Register.

Three States have not demonstrated compliance with jail removal and their initial request for a waiver of termination of participation in the Formula Grants Program has been denied:

Kentucky
Mississippi
Wisconsin

Prepared: March, 1992

For further information contact:

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Assistant Director, State Relations and Assistance
Division, OJJDP
633 Indiana Ave., N.W.
Washington, D.C. 20531
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1991 FORMULA GRANT PROGRAM SUMMARY TOTALS

Deinstitutionalization of Status Offenders

Full compliance - zero violations	11
Full compliance - de minimis exceptions	41
Recent participant - data not yet due	2
Out of compliance	1
Newly participating state - demonstrated progress	1

Separation of Adults and Juveniles

Full compliance - zero violations	29
Full compliance - exception provision	12
Not in compliance - showing annual progress	11
Recent participant - data not yet due	2
Additional data needed to determine compliance	1
Out of compliance	1

Removal of Juveniles from Adult Jails and Lockups

Full compliance - zero violations	7
Full compliance - de minimis exceptions	32
Not in compliance - waiver granted	6
Not in compliance - waiver eligibility under review	5
Recent participant - data not yet due	2
Additional data needed to determine compliance	1
Out of compliance - Initial waiver request denied	3

3/5/92

ATTACHMENT 4

FIGURE 1

Example
CALCULATION OF INDIAN PASSTHROUGH FUNDS

A.	Total State Formula Grant Allocation	$421,000
B.	State Advisory Group Allocation	$16,250
C.	Amount of Funds Applicable to Total Passthrough Requirements	$404,750
D.	Total Local Passthrough Requirement (item C x 66 2/3 percent; $404,750 x 0.6666)	$269,806
E.	Total State Population Under Age 18	512,000
F.	Total Youth Population Under Age 18 Residing in Geographical Areas Where Indian Tribes Perform Law Enforcement Functions	12,300
G.	Percent of Youth Residing in Geographical Areas Where Tribes Perform Law Enforcement Functions (item F divided by item E; 12,300 % 512,000)	0.0240 or 2.4 percent
H.	Indian Passthrough Proportion (item D x item G; $269,806 x 2.4 percent)	$6,475

TABLE 1

FY1989 ESTIMATES FOR INDIAN PASSTHROUGH

State	Total Juvenile Pop.	Juvenile Indian Pop.	FY1989 Formula Grant	Estimated Pass-Thru FY1989
Alabama	1,161,000	0	$ 738,000	$ 0
Alaska	130,000	261	325,000	413.21
Arizona	792,000	46,477	607,000	23,109.04
Arkansas	672,000	0	428,000	0
California	6,388,000	2,771	4,824,000	1,390.20
Colorado	809,000	567	577,000	261.98
Connecticut	823,000	0	500,000	0
Delaware	167,000	0	325,000	0
Florida	2,359,000	541	1,786,000	270.55
Georgia	1,646,000	5	1,147,000	2.29
Hawaii	276,000	0	325,000	0
Idaho	307,000	1,748	325,000	1,171.86
Illinois	3,240,000	0	2,005,000	0
Indiana	1,618,000	0	971,000	0
Iowa	825,000	179	484,000	67.65
Kansas	649,000	260	429,000	110.23
Kentucky	1,082,000	0	658,000	0
Louisiana	1,330,000	77	869,000	32.91
Maine	322,000	549	325,000	350.90
Maryland	1,167,000	0	743,000	0
Massachusetts	1,490,000	0	883,000	0
Michigan	2,751,000	647	1,625,000	252.21
Minnesota	1,172,000	3,318	734,000	1,354.53
Mississippi	815,000	1,270	523,000	526.39
Missouri	1,362,000	0	865,000	0
Montana	232,000	8,588	325,000	7,618.62
Nebraska	447,000	555	325,000	255.54
Nevada	215,000	1,471	325,000	1,408.14
New Hampshire	258,000	0	325,000	0
New Jersey	1,990,000	0	1,210,000	0
New Mexico	416,000	24,868	325,000	12,303.25
New York	4,687,000	1,713	2,881,000	697.93
North Carolina	1,655,000	1,883	1,075,000	802.99
North Dakota	191,000	4,779	325,000	5,149.63
Ohio	3,094,000	0	1,874,000	0
Oklahoma	855,000	1,016	590,000	454.48
Oregon	723,000	1,098	453,000	442.14
Pennsylvania	3,125,000	0	1,884,000	0
Rhode Island	243,000	0	325,000	0
South Carolina	941,000	384	622,000	164.78
South Dakota	205,000	11,237	325,000	11,281.55
Tennessee	1,299,000	0	826,796	0
Texas	4,305,000	376	3,293,000	190.78
Utah	540,000	2,836	416,000	1,399.48
Vermont	145,000	0	325,000	0
Virginia	1,474,000	26	964,000	11.14
Washington	1,139,000	5,977	772,000	2,643.64
West Virginia	560,000	0	325,000	0
Wisconsin	1,358,000	3,119	838,000	1,258.12
Wyoming	146,000	1,331	325,000	1,876.28
TOTAL	62,435,000	129,927	$44,294,769	$77,272.46

TABLE 2

FY1990 ESTIMATES FOR INDIAN PASSTHROUGH

State	Total Juvenile Pop.	Juvenile Indian Pop.	FY1990 Formula Grant	Estimated Pass-Thru FY1990
Alabama	1,161,000	0	$ 781,000	$ 0
Alaska	130,000	261	325,000	413.21
Arizona	792,000	46,477	667,000	25,456.13
Arkansas	672,000	0	455,000	0
California	6,388,000	2,771	5,249,000	1,513.10
Colorado	809,000	567	609,000	276.93
Connecticut	823,000	0	532,000	0
Delaware	167,000	0	325,000	0
Florida	2,359,000	541	1,958,000	296.84
Georgia	1,646,000	5	1,244,000	2.49
Hawaii	276,000	0	325,000	0
Idaho	307,000	1,748	325,000	1,171.86
Illinois	3,240,000	0	2,104,000	0
Indiana	1,618,000	0	1,023,000	0
Iowa	825,000	179	500,000	69.97
Kansas	649,000	260	457,000	117.70
Kentucky	1,082,000	0	687,000	0
Louisiana	1,330,000	77	908,000	34.41
Maine	322,000	549	325,000	350.90
Maryland	1,167,000	0	803,000	0
Massachusetts	1,490,000	0	933,000	0
Michigan	2,751,000	647	1,718,000	266.79
Minnesota	1,172,000	3,318	784,750	1,450.30
Mississippi	815,000	1,270	546,000	550.28
Missouri	1,362,000	0	919,000	0
Montana	232,000	8,588	325,000	7,618.62
Nebraska	447,000	555	325,000	255.54
Nevada	215,000	1,471	325,000	1,408.14
New Hampshire	258,000	0	325,000	0
New Jersey	1,990,000	0	1,283,000	0
New Mexico	416,000	24,868	325,000	12,303.25
New York	4,687,000	1,713	3,051,000	739.35
North Carolina	1,655,000	1,883	1,146,000	856.84
North Dakota	191,000	4,779	325,000	5,149.63
Ohio	3,094,000	0	1,977,000	0
Oklahoma	855,000	1,016	618,000	476.66
Oregon	723,000	1,098	480,000	469.48
Pennsylvania	3,125,000	0	1,995,000	0
Rhode Island	243,000	0	325,000	0
South Carolina	941,000	384	665,000	176.48
South Dakota	205,000	11,237	325,000	11,281.55
Tennessee	1,299,000	0	878,000	0
Texas	4,305,000	376	3,493,000	202.42
Utah	540,000	2,836	441,000	1,487.00
Vermont	145,000	0	325,000	0
Virginia	1,474,000	26	1,030,000	11.92
Washington	1,139,000	5,977	834,000	2,860.52
West Virginia	560,000	0	334,000	0
Wisconsin	1,358,000	3,119	892,000	1,340.79
Wyoming	146,000	1,331	325,000	1,876.28
TOTAL	62,435,000	129,927	$46,869,750	$80,485.38

DRAFT

Chairman **Martinez**. Thank you, Ms. Morris.

Judge Reader, it is nice to see you again.

Judge **Reader**. Thank you, sir. Mr. Chairman, Congressman Fawell, Congressman Kildee, I testified before this committee when Congressman Kildee was the chairman back in 1980. My name is Don Reader, and I have been a family court judge in Stark County, Ohio, for 22 years. Currently, I am serving as the Vice Chairman of the Governmental Relations Committee of the Council.

A little bit of history of the Council. The National Council of Juvenile and Family Court Judges was founded in 1937. It is the oldest national judicial membership organization in the world. It serves as the only national organization comprised of members of State juvenile and family courts. Current membership is approximately 2,500, juvenile and family court judges and related court professionals.

One of the primary goals of the Council is to offer continuing education for the Nation's judiciary. In 1969, the National College of Juvenile and Family Law was established as the Council's continuing education division. Both the Council and the College are headquartered in the new Midby-Byron National Center for Judicial Education at the University of Nevada campus in Reno, Nevada. The research division of the Council is the National Center for Juvenile Justice, located in Pittsburgh, Pennsylvania. Our staff numbers about 60, and the yearly budget is approximately $5 million.

We have been involved in the act since 1974. We have worked very closely with the oversight committees of both bodies on the act's reauthorization ever since. We have played a leadership role, especially since 1981 in the face of the administration's attempts to zero out the program. In that connection, we believe it is high time to restore the authorization level for the basic Title 2 program to at least $100 million. That was the actual approximate appropriation level 12 years ago, in 1980. As has been indicated by Robbie Callaway, there was another $100 million actually in LEAA funds.

We urge you to reauthorize the act and retain the basic structure of State funding or formula funding, with special emphasis on training and technical assistance grants. We support the provisions of the current law that provide for the separation of adults and juveniles and encourage all States to provide separate facilities for juveniles. It would require removal of all nonoffenders from State training schools and other secure facilities, and to maintain the constitutional authority of judges to enforce court orders.

Our experience with OJJDP has been generally good. We feel that over the years, it has been extremely difficult for the Administrators and top staff of the agency to operate as effectively as possible, given the dearth of support from successive administrations. It has been Congress, members of the Minority as well as the Majority, that has saved OJJDP year after year. Obviously, that has been a tough situation for the office and the Administrator.

It is our belief, and I think the belief of many, that since Robert Sweet has taken over as Administrator, the office has become much more efficient and effective in its operation. We feel that Mr. Sweet is fair and forthcoming in his dealings with various groups and concerned with juvenile justice and with the program he administers. He appears to enjoy the confidence of his staff. He has enhanced the productivity and effectiveness of the office, and certainly the confidence of juvenile justice professionals, including judges, who are concerned with effective delinquency prevention and early intervention.

As has been noted by Mr. Sweet, we were heartened by the fact that Attorney General William Barr, in his confirmation hearing, said he supported the continuation of the OJJDP program. I believe, from what I have read, that he must have thought long and hard about juvenile crime and the justice system. It is reflected in a major address which he made in Milwaukee last week, which has already been talked about by Mr. Sweet.

As a practical matter, OJJDP is the only Federal program directly dealing with the current escalating youth crime and its prevention. The attorney general has noted, and I think properly, that other, much broader areas of Federal policy, such as taxation, welfare, and education, have both good and bad profound effects on the family, schools, and communities. In the 22 years that I have been on the Bench, I have felt many times that I was presiding over the deterioration of the family as a basic unit of our social environment. Somehow, and ultimately, we must strengthen families, schools, and other community institutions, private as well as public. Otherwise, we are going to lose our children. Does it not make sense to renew the program and to invest $100 million per year for another 4 years to encourage further reform, especially in effective prevention and early intervention?

Another thing I would like to bring to your attention is the Federal war on drugs. Despite the sharp increase in serious, violent, drug-related youth crime, virtually no Federal resources have been devoted to juvenile justice. The spending of Federal drug war funds for State and local criminal justice has been devoted primarily to law enforcement. Meanwhile, massive funds have flowed into the whole Federal system for prosecution, courts, and corrections, as well as for law enforcement.

For any of you with some knowledge of history, LEAA started out the same way. Again, very little was ever done for the juvenile justice system. So far as juvenile justice and the Federal Government is concerned, since 1974 the OJJDP program is the only game in town.

I would commend to you the testimony at the National Governor's Association provided by Nevada Governor Bob Miller, I believe at your first hearing. A report, Kids in Trouble, noted some excellent programs with which criminal court judges are intimately involved, very effective programs for serious violent offenders, programs for intensive probation, and more recently juvenile boot camp programs. Most notably, there is a juvenile boot camp program in Mobile, Alabama, which is a collaboration of local juvenile court and Boys & Girls Clubs. These and others, often supported in part with State or national OJJDP funds, hold promise for wide adaptation and replication.

We urged the Congress in 1980 to amend the act, to add serious and violent juvenile crime as a priority area for attention. Since the 1970's, the office had devoted little concern to juvenile crime. That change has resulted in the development of several effective programs, utilizing both formula and State funds. An outstanding example of that, which has now been replicated in Florida, is the Paint Creek Youth Center program in Banbridge, Ohio. It has dealt more successfully with serious, violent juvenile offenders, including rapists, than has been possible in the past in the Ohio State juvenile institutions.

It remains true that a relatively small percentage of juveniles, about 7 percent of males, are responsible for at least two-thirds of serious and violent youth crime. These youths are usually chronic, repeat offenders, and the system needs to deal more effectively with them. At the other end, early intervention and prevention is the key to success. What are we really talking about? Basically, it is development, mobilization, and coordination of resources at the community level to help troubled kids.

You have already heard about Robbie Callaway on Boys & Girls Clubs. That is the type of program for which judges look. We only wish there were more of them. You will hear in the next panel about the Children's Cabinet from Sheila Leslie of Reno, Nevada. That is an outstanding program whose initial goal was to intervene with kids who were truant. Key community leaders, including Judge Charles McGee and our National Council Executive Director, Lou McCardy, were influential in its development. A judge in our business needs that type of service.

In the next panel, you will also hear from Judge J. Dean Lewis of Virginia on how that State is making great strides, cutting through State and local turf wars among service providers. You will want to listen carefully to what she has to say. She teaches at the Council's College at the University of Nevada where, essentially, judges teach other judges and court leaders to be better judges, including how to help organize community support for better services for troubled children.

We have already touched on child abuse and neglect. In all the years that I have ever been a judge, I have never seen anything like what has occurred in the last 5 years. Our complaints relative to child abuse and neglect in my locality of approximately 370,000 population has increased 375 percent. It is unbelievable. A lot of it is brought about by crack, HIV babies, AIDS babies, even in that type and small population. It is, without question, a much faster growth area than delinquency. They are very difficult cases to deal with because they are continuing cases; they require that the court periodically review them. As is true in delinquency, the options available to the court are usually too limited. It is very clear to me that if intensive home-based services were available for many of these children and their families, removing the child would not be necessary for that child's safety. Unfortunately, that is not the way it is.

It is quite correct that an abused and neglected child from a seriously dysfunctional family will often, without intervention, become a delinquent. Thus, it is for neglected and abused children, minor delinquents, runaways, truants, and out-of-control children that early intervention proves most effective.

In a perfect world, there would be no need for courts. Again, that is not the way it is. I have testified on juvenile justice before seven State legislatures and innumerable governors' councils. I never ceased to be amazed by the fact that the juvenile justice system remains the stepchild of the criminal justice system. Let me give you an example. A State that is tearing down juvenile residential treatment centers and building adult prisons has their priorities reversed. The future of the country depends on our youth. Frankly, we are in jeopardy.

Judges, juvenile and family court judges, often in leadership positions, are trying to see that needed resource networks are developed, are effective, and do the job. The role of the courts in this system remains critical. Mr. Chairman, juvenile judges are advocates for youth, contrary to some opinions; they have to be or they could not stay in it. I would indicate an Amen to Robbie Callaway's four A's. I would urge you, on behalf of the National Council, to reauthorize the act and certainly try for $100 million. Please call on us if we may be of further assistance. We deeply appreciate the opportunity to testify before you today. Thank you.

[The prepared statement of Hon. W. Don Reader follows:]

STATEMENT OF HON. W. DON READER, NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

Mr. Chairman, members of the subcommittee, the National Council is pleased to have been asked to testify before you today. I am Vice Chairman of the Council's Legislative and Governmental Regulations Committee and a recent Council President and for many years have served as a Juvenile Court Judge in Stark County, Canton, Ohio.

The National Council of Juvenile and Family Court Judges was founded in 1937 and is the oldest national judicial membership organization in the United States. The Council serves as the only national organization comprised of members of State juvenile and family courts. Its current membership is about 2,500 juvenile and family court judges and related court professionals. All States are represented.

One of the primary goals of the Council is to offer continuing education for the Nation's judiciary. In 1969, the National College of Juvenile and Family Law was established as the Council's continuing education division. Both the Council and the College are headquartered in the new Midby-Byron National Center for Judicial Education at the University of Nevada campus in Reno, Nevada. The research division of the Council is the National Center for Juvenile Justice, located in Pittsburgh, Pennsylvania. Our staff numbers about 60, and the yearly budget is about $5 million.

The National Council supported and worked for the initial passage of the OJJDP Act in 1974, and has worked closely with the oversight subcommittees of both bodies on the Act's reauthorization ever since. We have also played a leadership role (especially since 1981 in the face of the administration's attempts to "zero out" the program), in lobbying for uninterrupted yearly appropriations for the Office of Juvenile Justice. In that connection, we believe it is high time to restore the authorization level for the basic Title II program to at least the $100 million range, which was the actual approximate appropriation level 12 years ago in 1980.

We urge you to reauthorize the Act and to retain the basic structure of State funding or "formula funding," with special emphasis on training and technical assistance grants as last revised in 1988. We support peer review for special emphasis grants, and we support establishment of additional areas for possible funding under the special emphasis program, provided adequate resources for these additional areas are authorized and subsequently appropriated.

The National Council continues to support provisions of the current law that provide for separation of adults and juveniles in jails, and encourages all States to provide for separate facilities for juveniles charged with criminal violations, to require removal of all non-offenders from State training schools and other secure facilities, and to maintain the Constitutional authority of judges to enforce court orders.

The National Council's experience with OJJDP has been generally good, and the judges have enjoyed constructive relationships with the various Administrators.

It has been hardest for the Administrators and top staff of the agency to operate as effectively as possible, given the dearth of support from successive administrations, which have sought to abolish the basic Title II program the through "zeroing

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out" of its budget every year. It has been the Congress, members of the Minority as well as the Majority, that has "saved" OJJDP year after year. Obviously, that has been a tough situation for the Office and for its Administrators.

It is our belief that since Robert Sweet took over as Administrator, the Office has become much more efficient and effective in its operations. Mr. Sweet seems fair and forthcoming in his dealings with various groups and concerned with juvenile justice and with the programs he administers. He seems to enjoy the confidence of the staff. In a low-key manner, he has enhanced the productivity and effectiveness of the Office, and the confidence of juvenile justice professionals, including judges concerned with effective delinquency prevention and early intervention programs.

It was heartening to the National Council and our members when, in his confirmation hearings, Attorney General William Barr said he supported the continuation of the OJJDP program. That General Barr has thought long and hard about juvenile crime and the justice system is reflected in a major address which he made in Milwaukee last week. The fact that in his speech he recognized the need to strengthen the juvenile justice system is encouraging. The juvenile justice system "has to be more effective in intervening early enough to divert troubled youths away from a career of crime," he said. We agree. "Second, it has to be more effective at identifying and dealing decisively with the chronic offender who has embarked on a career of crime," he said. We agree.

As a practical matter, OJJDP is the only Federal program *directly* dealing with current escalating youth crime and its prevention. The Attorney General notes, I think properly, that other, much broader areas of Federal policy, such as taxation, welfare, and education, have profound effects, both good and bad, on the family, schools, and communities. Ultimately, it is the strengthening of families, schools, and other community institutions, private as well as public, upon which we must rely to rear children who become responsible and productive citizens, rather than those who end up committing serious offenses and in many cases graduate into adult criminal lives.

Does it not make sense to renew the OJJDP program and to invest $100 million per year for another 4 years to encourage further reform of the juvenile justice system, especially in effective prevention and early intervention?

It should be noted that, since the advent in the late 1980's of the Federal war on drugs, and despite the sharp increase in serious, and violent, drug-related youth crime as shown in FBI statistics starting in 1988, virtually no Federal resources have been devoted to juvenile justice. Spending of Federal drug war funds for State and local criminal justice has been devoted primarily to law enforcement. Meanwhile, massive funds have flowed into the *whole Federal system*, for prosecution, courts and corrections, as well as for law enforcement. This mirrors closely the experience of the Federal war on crime which commenced in 1968 as a strictly State and local law enforcement support program, which quickly expanded to corrections, prosecution, and only in its most later stages to criminal courts, upon the belated recognition that they were a necessary element between arrest and prison. Under LEAA, very little was done for the juvenile justice system, then as now a perennial stepchild.

So far as "juvenile justice" and the Federal Government is concerned, since 1974, the OJJDP program has been the "only game in town."

May I commend to you the testimony of the National Governor's Association provided by Nevada Governor Bob Miller at your first hearing. The excellent report, *Kids in Trouble*, noted several excellent programs with which juvenile court judges are intimately involved, both in their development and operation. These include several effective programs for serious violent offenders, programs for intensive probation and, more recently, juvenile "boot camp" programs, most notably, one in Mobile, Alabama, which is a collaboration of the local juvenile court and the Boys and Girls Club. These and others, often supported in part with State or national OJJDP funds, hold promise for wide adaptation and replication in other States and local jurisdictions.

It was the National Council of Juvenile and Family Court Judges which successfully urged the Congress in 1980 to amend the Act to add serious and violent juvenile crime as a priority area for attention. Since the 1970's, the Office had devoted little concern or resources to juvenile crime. That change in the Act has proven salutary, we believe, and has resulted in the development of several effective programs, utilizing both "formula" or State funds, discretionary special emphasis funds, or a combination of both. An outstanding example, now replicated in Florida and elsewhere, is the Paint Creek Youth Center program in Banbridge, Ohio. It has dealt more successfully with serious, violent juvenile offenders, including rapists, than has been possible in the past in the Ohio State juvenile institutions.

As Attorney General Barr noted, despite the most recent and disturbing increase in serious and violent juvenile crime, much drug related, it remains true that a relatively small percentage of juveniles (about 7 percent of males) are responsible for at least two-thirds of serious and violent youth crime. These youth are usually chronic, repeat offenders, and the system needs to deal more effectively with them.

At the other end of the spectrum, "early intervention," and "prevention" is the key to success. What are we talking about? Basically, it is development, mobilization, and coordination of resources at the community level to help troubled kids and their families, the goal being to keep children out of trouble that can lead to serious crime further down the road. What sort of resources? There is no better example than the Boys and Girls Clubs represented here today by our friend Robbie Callaway. A judge in our business and her/his probation workers *need* services such as these clubs provide. We only wish there were more of them!

You will hear in the next panel about the Children's Cabinet from Sheila Leslie of Reno, Nevada. The Children's Cabinet is an outstanding program whose initial goal was to "intervene" with kids who were skipping school. Key community leaders, including juvenile court Judge Charles McGee, and our National Council Executive Director, Louis McCardy, were influential in the development of that program, which now does much more than just dealing with school truants. A judge in our business *needs* services such as those that the Children's Cabinet provide in Reno. I am sure after you have heard from Ms. Leslie, you will agree that *all* communities should have an organization like the Children's Cabinet.

In the next panel, you will also hear from Judge J. Dean Lewis of Fredericksburg on how the Commonwealth of Virginia is making great strides and is cutting through State and local "turf wars" among service providers so as to provide more comprehensive *community-based* services to children and their families with problems. Moreover, there are significant cost savings since Virginia is learning that fewer problem children need to be removed from their homes. These savings translate into more effective services for more at-risk children.

You will want to listen carefully to Judge Lewis. She is a leader in the National Council of Juvenile and Family Court Judges, both in her position as a member of the Council's Board of Trustees, and as the Chairperson of the Council's Alcohol and Substance Abuse Committee, which currently conducts community mobilization seminars all over the country. Judge Lewis teaches at the Council's College at the University of Nevada at Reno, where essentially, judges teach other judges and court leaders to be better judges, *including* how they can help organize community support for better services for troubled children and families.

Child abuse and neglect, including family violence, sexual abuse, crack and HIV babies, is an even faster growth area in our courts than delinquency. These cases are most difficult to deal with in part because they are continuing cases in which Federal law (Public Law 96-272) requires that the court periodically review the status of each in a meaningful way. As is true in delinquency, the options available to the court are usually too limited. It is clear that, if intensive *home-based services* were available for many of these children and their families, removing a child from his/her home to foster care or a group home would often not be necessary for the child's safety. Furthermore, if quick and effective treatment and other services can be provided, keeping the family together usually results in a better outcome for the child and family, and usually at lower taxpayer cost.

An abused and neglected child from a seriously dysfunctional family will often, without intervention, become a delinquent child later on. Thus, it is with neglected and abused children, minor delinquents, runaways, truants, and "out-of-control" children that "early intervention" proves most effective. Of course, intervention through such a comprehensive network of private and public community resources, long before a child appears before a court, is much more preferable than the current situation. In a perfect world, there might be no need for courts! Therefore, juvenile and family court judges are working in their communities, often in leadership positions, to see that the needed resource networks are developed, that they are effective, and they actually do the job, and that every dollar of public expenditure is needed and justifiable. In the meantime, court case loads are increasing, and the role of the courts in the system remains critical.

The National Council of Juvenile and Family Court Judges urges you and your subcommittee, Mr. Chairman, to provide for the reauthorization of the Juvenile Justice and Delinquency Prevention Act along the lines we have indicated. We have previously provided your staff with information on the National Council, and on our many-faceted educational and technical assistance programs, and our research and statistical analysis projects. Please call on us if we may be of further assistance. We deeply appreciate the opportunity to testify before you here today.

Chairman **Martinez**. More and more we are seeing where home-based services are having tremendous success. Outreach programs have gone in, when a child turns up in the court or a child turns up at one of these homes for the homeless, and directed programs to parenting the parents, teaching the parent how to be a parent. Nobody ever teaches any of us how to be a parent. If we have good parents, there is a good chance we are going to be good parents. If we have bad parents, we are probably going to be the same kind of a parent. It is like child abuse: it is usually inflicted by somebody who was a victim of child abuse.

Home-based services and, as you mentioned several times, community-based organizations, are the only places you are going to get real services like this provided. The formula grant program has to provide money for that. From your perspective, even you as a judge can see that there is a real need for that. You see the deterioration of the family. I think a lot of these people who started these programs see the same thing.

I am particularly interested in your statement about tearing down a youth service facility and building a prison. We have seen a lot of that. Here lately, though, in Colorado, we have seen the reverse: they tore down a youth facility and built a new youth facility, but they built it much smaller because they do not intend to house a lot of youths there. They intend to find those community-based organizations, to put these young people back in settings and return as many of them as they can, after counseling, to their families and reuniting the family. Do you think that this is a trend that could probably turn a lot of the problems around?

Judge **Reader**. I do not think there is any question about it. Let me give you an example. In 1981, in Ohio, we changed the law around. We got the State to agree to provide subsidies to every juvenile court in the State, based upon population. With that money, the court had to provide community treatment. What happened was, in my own county, in 1981 I committed 156 youths to our State institution. In 1982, we committed 26. We were utilizing this money for community type sanctuary. We found out that, based on the recidivism rate, we were so much more successful. The reason was that the family could be brought into the treatment with that youngster. Even if it was necessarily out of the home, the family could still be involved. The recidivism rate, there was some, but the success rate that we had was unbelievable. Unfortunately, since then, we have been hit like everybody else with a huge drug problem. But it works and it can work.

Chairman **Martinez**. I think that is something that has happened to a lot of programs. Like I mentioned, Boys Town Village had depended on a very small portion of Federal funds, but that small portion of Federal funds got even smaller. They are looking at a shortfall. They are looking at losing their Federal funds, and that was $57,000 toward a total budget of $459,000. If they wipe out $57,000, you can see where that is a big percentage of their funds. Fortunately, with the resourcefulness of Father Peter there, they will find a way to overcome that loss of money. This particular individual is just so dedicated to youth and believes so strongly in the program.

What we do not realize here is that we think we are funding the world. We think we are the only ones providing money. In reality, if you look at it, we provide only a very small percentage of the money, but it is a very important percentage of the money, one that is needed to serve as seed money. That is all it is doing. That important seed money is what leverages what the President calls "a thousand points of light" to volunteer on their own.

A major corporation's CEO said to me once, "We don't understand our responsibility, and we want to share in that responsibility, but we don't want to get to be so much of a player that the Federal Government forgets its responsibility and role." I think someone here said that, about running away from our responsibility. I guess it was you, Ms. Morris. That is what we have been doing here in Washington, running away from our responsibility.

You mentioned all the organizations across the country where Jamie would have been. Don't all of those organizations depend very heavily on those Federal funds that come through?

Ms. MORRIS. Yes, they do. Those programs were all funded through Title 2, yes.

Chairman MARTINEZ. Without that money, where would they be?

Ms. MORRIS. They certainly would not have that portion of their program, if they had a program at all.

Chairman MARTINEZ. So there would be a percentage of these young people, and maybe Jamie would not have been helped?

Ms. MORRIS. That is correct.

Chairman MARTINEZ. Mr. Callaway, you mentioned Stockman and his zeroing out the formula grant program. That is not uncommon to him. He liked to zero out successful programs. He was the first one to recommend the elimination of the Job Corps. The Job Corps is one of those programs of the Federal Government that returns about $1.34 to $1.40 for every $1 invested by the Federal Government. That is one heck of a profit.

Isn't that a tremendous profit? I was in business for 28 years myself. I would have loved to have had a 40 percent profit in any one of those years. I was happy when I made 20 or 25 percent. He cannot see that. I tried to imagine why a particular individual like this, who had been a Member of Congress, would want to do this, other than wanting to invoke, in the position he held, all of the things he could not get done as a Congressman. You can do that sometimes.

I finally determined—I may be wrong, and I apologize to him if I am wrong—that he simply loved to cut programs where there was no advocacy. Mr. Fawell talked about the lack of advocates for the children. Mr. Kildee mentioned that we have plenty of people advocating for defense and for a lot of the other things around here. We have lobbyists running in and out of our office every day, all day long, for one issue or another. Not very many, except for people like yourselves, come in to talk about the kids and what we can do for them. Many times it is like you said, you are not paid by one Federal dollar; it is what moneys you can raise from your program that causes you to come here to be a lobbyist for the children.

Being a modest man myself, I asked for a $156 million authorization level for JJDPA, and the committee increased it to $210 million, which gives me great gratitude. If we get $100 million out of it in appropriation, we will be lucky. You were here on the scene for a long time, and you know: we go to the appropriations committees and deal with the chairmen of those committees that have jurisdiction. In this case, it is Congressman Neal Smith. I would like each of you to start hammering on Congressman Smith for the increase.

I give testimony to ask for money for these programs. But as I go away, I can tell that they already have their priorities set. I do not know where they decide these things, maybe in a back room somewhere, but certainly not in those public meetings because nothing is decided there. They take the testimony and then go off and do what they are going to do, in more cases than not.

With the Older Americans Act, for example, there has been a tremendous increase in the need for services for older Americans. The dollar value, as you pointed out Judge Reader, has diminished, yet the service demand has increased. I sat there and asked, begged, and pleaded. I gave as impassioned testimony as I could possibly give for a greater appropriation for the Older Americans Act. The Act got the same appropriation that it got last time, which I should be grateful for I guess, but that is not the idea.

Somewhere around here we have to understand, as Mr. Kildee has said and as Mr. Fawell has said, priorities. What are our priorities? Where should we spend this money in order to do the most good inside our country? I do not think we have that international threat from outside any more. We should be ever guarded, though. We should not just completely do away with defense and end up like we were during World War II when Japan hit us. The idea is that we can do that. We can provide adequately for defense and still shift some of that spending to some of these other things that have become a high priority. It is a lot like the cobbler in the town: he made shoes for everybody in the town, but his kids had none. That is what we have here: our kids have none.

If you could advise us, from your experience here, how we could best approach the appropriations committee for that increased appropriation, I would appreciate it.

Mr. Callaway, you had a comment?

Mr. CALLAWAY. I know you were poking polite fun at your colleague. Had it not been for Neal Smith in 1981, when Stockman zeroed out the program, I think they might have been successful on that appropriation subcommittee. If everybody does work on Neal Smith, we might get it.

Chairman MARTINEZ. So maybe he will be sympathetic to my testimony, more than Mr. Natcher was.

Mr. CALLAWAY. Absolutely.

Chairman MARTINEZ. He is a kind old gentleman. I love him. Everybody in the Congress loves him. He is really one of the two gentlemen of the Congress.

Mr. CALLAWAY. He dug his heels in, in 1981. The Republicans and the Democrats on the committee all told me at the time, and I spoke with each one of them individually, that they were going to do what Neal Smith did. He dug his heels in, and he supported $100 million. At that time, the Senate ultimately said $70 million.

Chairman MARTINEZ. I guess we are not supposed to criticize our colleagues. I cannot help it, when you make a statement like that, that they are going to do whatever the chairman does. I do not believe in that. I am a chairman of a subcommittee, and these guys argue with me all the time. That is our responsibility really. If we feel strongly about something and we have a concern out there from our constituents, not from the lobbyists but from the constituents, then we ought to be voicing it and not just doing what the chairman wants. In this case, the chairman was a good chairman and did the right thing, but what about in those cases where he is not?

Mr. CALLAWAY. I agree.

Chairman MARTINEZ. Mr. Raley?

Mr. RALEY. If the authorizing committee is able to pass an authorization level of $250 million in 1994, it would give those of us who do go down to Neal Smith a little more force.

Chairman MARTINEZ. That is true.

Mr. RALEY. If we can do that, there would be a signal sent.

Chairman MARTINEZ. Thank you. Mr. Fawell?

Mr. FAWELL. I have just one question. It was triggered, Judge Reader, by a statement you made. You said, "Since 1974, OJJDP program is the only game in town." It caused me to think in terms of how much coordination there may be between a number of different acts that all do pertain to juveniles in one aspect of their lives. I know we have the various HHS programs dealing with runaway and homeless youth, transitional living; various drug programs, apparently within the Justice Department and within HHS; and then we have various probation departments now, as in Du Page County, Illinois, that are beginning to take that leap into home-based detentions. Then you have the State facilities, again like in Illinois, the Department of Children and Family Services, which are not so highly rated in regard to the quality of work they do in the State of Illinois but, nevertheless, vitally involved in regard to serving youth.

Others obviously have centered their thoughts in regard to this long before I have thought of it, but how much coordination are we really talking about? What is taking place? You did not mean to say, I assume, that you were not aware and that there were not these other programs.

Judge READER. Oh, no.

Mr. FAWELL. Is there the coordination? Let's assume that we probably are not going to get as much as we would like to get, which is the understatement of the day. There are a lot of programs there which, cumulatively perhaps, have more money. Is the coordination taking place that ought to be taking place?

Judge READER. I think probably Judge Lewis can speak to that. Let me explain to you, sir, that what I am talking about here is that there are other Federal programs that have something to do with children. When I say it is the only one in town, what I am talking about is that it is the only one that has, for lack of a better description, seed money for programming for people such as Robbie. When the money goes out, for example in HHS, that is such a huge bureaucracy. It is very difficult to find out where it is, in the first place. Second, there is no coordination amongst the agencies, very little coordination.

What we have been able to do and I have found worked in my county is to bring together the executive agencies, the State agencies, sit them down, and tell them, "This is the problem. You have various pockets of money. How are you going to solve it?" By having them communicate with one another and coordinate some of their activities, it works. But it is very difficult to do.

Mr. **Fawell**. There may be comments from others, but obviously starting from Head Start, and even starting from abandoned babies, you can start from the very beginning and start serving children better. Early intervention is the key. I understand that you get them at the more hardened state in the court system. These are children who begin to get court records. There is so much more that could be done. If it is done better prior to that time, then obviously you have a lesser load and a much easier responsibility.

Judge **Reader**. That is right. I think juvenile judges do get involved early on. I do not know if you have ever heard of the SHODI order. The SHODI order is for serious, habitual offenders, drug-involved. I have one in my county that I put on about 2 years ago. It requires the signatories, the ones you serve, to give information to each other, back and forth: schools, mental health, the department of human services, the courts, both adult and juvenile, and law enforcement. They all coordinate and talk to one another about various problems. We are able to intervene early in a child's life on that basis.

Mr. **Fawell**. Yes, Mr. Callaway?

Mr. **Callaway**. My first point is autonomy of the Administrator. There is a Federal coordinating council in juvenile justice. I came this close to coming in here saying that it should be abolished. It has been, basically, ineffective. The reason it has been ineffective is because of where the Administrator sits within the Justice Department. If that Administrator dealt directly with the Attorney General, and if the counterparts at HHS would speak directly to the Secretary of HHS, they might attend those meetings, and they might be more likely to put the funds under proper coordination. If people could speak to Secretary Kemp at HUD, they might be more encouraged to participate actively in the coordinating council. They might feel that the Administrator could make the decision without having to go through several layers before he got to the Attorney General.

Mr. **Fawell**. Mr. Raley?

Mr. **Raley**. During the period between 1976 and 1980 and even into 1984, when OJJDP was separate, the Attorney General did take a much more active role in that coordinating council, and we did have better participation for subsequent meetings.

Ms. **Morris**. Mr. Chairman, our testimony also reflects that desire that the office have a greater leadership role in the Federal coordinating council. Again, I think that if coordination is modeled at the Federal level, it will show States and local groups that it can be done on those levels as well. The local folks perhaps do a lot more coordination than State or Federal. When you are out in the trenches, you sort of let the State agencies or the Federal agencies fight it out, and you go ahead and do what needs to be done for kids at the local level. I think that could be modeled at the Federal level as well.

Chairman MARTINEZ. Thank you, Susan. Mr. Fawell, it is still your turn.

Mr. FAWELL. No, I have no further questions.

Chairman MARTINEZ. Sometimes we have a tendency to take things for granted that are just good, common sense policies that affect to the greatest extent whatever it is they are intended to affect. Sometimes that does not always happen, even though we have agencies that have names. I always assume that an agency is doing just what its name implies: coordinating. Evidently, they are not, and somehow in this legislation, we need to strengthen that to make sure that they do.

Let me try to tap your brains here. Do any of you have any kind of documentation that positively identifies all the sources of money in the Federal agencies that could possibly be used for helping juveniles?

Mr. RALEY. Other than the budget document itself, the appendix, no. At one time, they had that. In fact, I think the office itself, probably shortly after it was created, did do a document which was what you are suggesting. It may well be that the office either has that information or could put it together by updating that previous document. Certainly, it is something that is needed when we look at that early intervention in positive ways and positive youth development. There are resources out there. In fact, the act gives the Administrator the ability to poke his or her nose into some of those programs.

Chairman MARTINEZ. So the Administrator does have the ability to compile that information?

Mr. RALEY. They have in the past, yes.

Mr. CALLAWAY. They have the ability but I do not think they have the empowerment to do it. Again, that goes to autonomy.

Chairman MARTINEZ. If they do not, we will find a way to do it, but I think that is an important thing to do.

Ms. MORRIS. I think that may be true with the empowerment. I know the office recently put together a sourcebook that talks about program responsibilities and functions, and there is a little bit of funding information in there. I think maybe that book could be used to pull together the other information as well. It has just recently been published.

Mr. CALLAWAY. That book is an excellent document, as you said. If the Administrator had the authority to pull that from the other agencies, he would have exactly what you want.

Chairman MARTINEZ. We will check into it and see if he does; if he does not, we will do it. Thank you very much. You have been very helpful to us.

Our next panel consists of Michael Dermody, Chairman of the Board of Trustees, and Sheila Leslie, Children's Cabinet, Reno, Nevada; J. Dean Lewis, District Judge, Fredericksburg, Virginia; and Pat McGrath, Superintendent, Du Page County Youth House, Wheaton, Illinois.

Judge Lewis, why don't we begin with you.

STATEMENTS OF MICHAEL DERMODY, CHAIRMAN OF THE BOARD OF TRUSTEES, AND SHEILA LESLIE, CHILDREN'S CABINET, RENO, NV; HON. J. DEAN LEWIS, DISTRICT JUDGE, FREDERICKSBURG, VA; PAT McGRATH, SUPERINTENDENT, DU PAGE COUNTY YOUTH HOUSE, WHEATON, IL; AND JANE PEERSON, CHIEF PROBATION OFFICER, 18TH JUDICIAL CIRCUIT, DU PAGE COUNTY, IL

Judge Lewis. Thank you, Mr. Chairman and members of the committee, my name is Dean Lewis. I am a sitting judge in the Juvenile and Domestic Relations Court in the City of Fredericksburg in Spotsylvania County. Those jurisdictions are about 50 miles down the road from Washington, DC. In fact, a great number of our parents commute here each day.

You were just talking about funding streams. What we found in Virginia was that we had 19 different State funding streams for juvenile programs. We found that many times, in order to get help for a child and family, in order to have the funding, we had to use a more restrictive alternative, such as an out-of-home placement. Yet, our law mandated the least restrictive alternative to work with the family and the child within the family unit.

As a result, what we found is that we were traumatizing children and families. Many times we were unable to get the funding children and families needed in order to stay together. So our legislature asked that we study the problem. I was on the committee that studied that, the Council on Community Services for Youth and Families. Our Governor had declared the 1990's to be the Decade of the Children and Families in Virginia.

With the structure of our Council for Community Services for Youth and Families, what we found was that it caused collaboration between child serving agencies on both the State and local level. So in the beginning, what we did was study the problem and look at solutions, look at innovative programs in different localities to see what worked and what did not work. We found that residential care was needed in some cases but that many children who did not need residential care were placed there simply for the lack of being able to get the funding for rehabilitation.

The Council gave five grants to localities, mine happens to be one of those localities, to see if the locality could use a model that the Council had come up with in order to work better with children and families. The model basically is as follows.

In each locality, or in my case a group of small localities, there would be an interagency child-serving board. That board would have representatives of all of the child-serving agencies, for example juvenile probation, schools, mental health, and child welfare. In our case, we also have public health, which is our child development center. That board would then decide what programs the community needed for its at-risk youth and families. In each of the localities, there would be teams. We called them community assessment teams. Those teams would staff individual cases and refer those cases to the Interagency Child-Serving Council for funding.

By having this Interagency Child-Serving Council, what we did was pull together funding streams. In other words, a child no longer has to be labeled a welfare child or be charged with a delinquent act in order to get into a funding stream. Our focus was prevention and empowerment of the family. On the local level, with the community assessment team, they meet in our five localities either once a week or once every 2 weeks, depending on our population.

A parent can refer the family to this CAT team, the court can refer the family to the CAT team, or any of the agencies can refer the family to this team. What this team does is share information under a release of confidentiality, and they share resources. You get a multidiscipline staffing of the needs of that family. Then we try to focus that family with the programs in our community which would work for that family. We do not label children by the way in which they enter a system. We do not label them welfare children or mental health children.

In addition to the many programs we already had in place through the concerted efforts of the directors of our different agencies, we now have under our grant six additional programs that are extremely effective in keeping children and their families together. We have a parent aid program, in which a person works directly with the parent and the child together in the home. This is similar to Homebuilder but not quite as intensive. We also have the Homebuilder program. We have a Homebuilder program that focuses on substance abuse issues. We have a student aide program so that children are not being taken out of the school system due to behavioral problems and placed in institutions. With the student aide working with them within the school system, they are able to stay in the school and modify their own behavior. We have an alternative school program, an intensive supervised probation program, and therapeutic foster care.

I would like to share with you several ways in which this has not only saved money for our locality but saved the traumatized children from out-of-home placement. In the first 6 months that we had this restructuring in place, we saved over $160,000 in psychiatric bed days in State mental health hospitals. That was only 6 months.

We brought a child back who was in a secure residential program. At the time, there was only one residential program in the State of Virginia that would accept this child. It was 50 percent State money and 50 percent local money for a locality that only has 20,000 people. Her placement cost $85,000 a year. Under our grant, she has been brought back and placed in a therapeutic foster home for $9,500 a year.

I have a child in one of my localities who, at age 11, stole his father's car and drove himself to the police station for help. He has been in and out of psychiatric hospitals since. He is now back with his family, with these programs, primarily intensive supervised probation and Homebuilder-type services to him and his family.

More children are receiving help. You can take the $500,000 that was allocated for these grant programs to our locality, our five jurisdictions, and you could use that for five out-of-home placements for $100,000 a year each, or you could use that $500,000 to serve many children and families in their own home setting and in their communities.

So Virginia's focus is now, as a result of grant sites and their success, a statewide program that will be phased in over the next 5 years whereby localities will take back a portion of the money the State was using for out-of-home placements. It will go back to the localities with a local share based on each locality's needs, based on the poverty index, and each locality's ability to pay. There will be a local match. The locality will then take charge of the problem of at-risk youth and families and decide what programs that locality wants to put in place to help children and families stay together.

I would like to say that we have initiated one program in which it was essential that the OJJDP money under the formula grant for the State of Virginia was present or we could not have implemented that program. I would like to speak just a second or two about that. It is called Outreach Detention. We started this before Virginia went to the Statewide move.

We used the Homebuilder program. We have a person paid for by the locality in Fredericksburg, Spotsylvania, and Hanover Counties. Oversight and training came from an OJJDP formula grant for the State. In my locality of Spotsylvania, in the first year that we used that Homebuilder person, we worked with children who had been placed in the detention center. We worked to get them out quickly and back with their families and, by intensive in-home services rather than placing the children in detention, we saved that locality $10,000 in the first year. Yet their cost for out-of-home placement had been going up at a rate of 20 to 25 percent per year. My detention superintendent, Mr. William Burke, and my court service director, Mr. Alvin Chaplin, are here. They can attest to you how well that program worked. Without the help that we received from the OJJDP grant, we could not have started that program because we needed the training, the oversight and the evaluation.

Chairman MARTINEZ. Can I interrupt you right there?

Judge LEWIS. Sure.

Chairman MARTINEZ. What percentage of the JJDPA money was used for the Homebuilder person?

Judge LEWIS. There was no money for the payroll of that person. There was moneys to bring the Homebuilder program from Seattle, Washington, here to train our people in the best model we could find, to have on-going training.

Chairman MARTINEZ. So it was just for the expense of training, which was a very small portion of the total cost?

Judge LEWIS. Absolutely.

Chairman MARTINEZ. With that, you were able to do so much more? The point I am trying to make is that just a little of the right money in the right place goes a long way.

Judge LEWIS. Absolutely. Yes, sir.

Chairman MARTINEZ. Go ahead. I am sorry.

Judge LEWIS. We have another program that we have instituted, really with no money, which is called KIND, Kids In Need of Direction. We take people from the community who are willing to volunteer, like a CASA volunteer, who serve as mentors to troubled youth. It was a cooperative, volunteer program, put together by our detention center, our court service unit, and our CASA program. Our CASA program, detention center, and court service unit saw that CASA volunteers frequently worked with children who were abused and neglected, we were only dealing in the juvenile justice system with children who were now delinquent but whose abuse and neglect had not been caught earlier in order for us to help them. So, with no new dollars, our folks got together and started a program that has enormously lowered the rate of recidivism. We find that children do not have positive role models, and that is what we are trying to give them with this program. We are recruiting business people in particular.

One other critical program that you might be interested in, in Virginia, is Volunteer Emergency Families for Children. We talk about the high cost of foster care. But about 12 years ago, in Virginia, when there was the deinstitutionalization, CHINS children could no longer be placed in learning centers. A group of committed people, mainly through churches, got together and created an organization where people in the community were trained as foster parents but received no money. They are volunteers. They will keep a troubled child for up to 21 days for free. Many times we find that with the runaway child, that is the respite that this child and his or her parents need to bring them back together again with services, keep the child off the street, but in the home of a local person who cares about children.

So I can say for Virginia that the legislature and the Governor truly want children to be important and for our funding stream to not really exist, but to have a collaborative effort at the local level where we can decide the future for our children. Thank you.

[The prepared statement of Hon. J. Dean Lewis follows:]

COMMONWEALTH of VIRGINIA
FIFTEENTH DISTRICT JUVENILE AND DOMESTIC RELATIONS COURT
701 PRINCESS ANNE STREET
FREDERICKSBURG, VIRGINIA 22401
1 - (703) - 373-1072
(FAX) 1 - (703) - 373-1164

WILLIAM J. COX
JUDGE
J. DEAN LEWIS
JUDGE

CYNTHIA L. JESSUP
CLERK

April 4, 1992

The Honorable Matthew G. Martinez
Chairman, Subcommittee on Human Resources
of Committee on Education and Labor
U.S. House of Representatives
B-345-C Rayburn House Office Building
Washington, D.C. 20515-6106

Dear Congressman Martinez:

Thank you for your letter of April 2, 1992 inviting me to speak on April 7, 1992. I appreciate the opportunity to share with you the exciting new developments in Virginia and, in particular, in the Fredericksburg area.

Enclosed is a copy of my prepared remarks. Due to time limitations, I am unable to supply forty copies ahead of time but wanted you to have this information in advance. I will bring forty copies of my prepared remarks, grant programs and court referral programs with me. I have previously forwarded the report of the Council on Community Services for Youth and Families. I only have six additional copies which I will bring with me. Enclosed also is my vita for background.

Sincerely,

J. Dean Lewis
Chief Judge

JDL/cj

Enclosures

The philosophy of "least restrictive alternative" permeates child welfare and juvenile justice legislation. Yet often we find that funding for rehabilitative programs for "at risk" youth is tied to Court intervention and an out-of-home placement. For some children, residential care is the most appropriate and effective way to treat their dysfunctional behavior and to protect them or society. However, many children are unnecessarily being placed far from their families and in more restrictive care than is necessary to meet their needs. Out-of-home placements are becoming more costly each year, both in taxpayer dollars and in emotional damage to children separated from their family and community.

In 1988 a study of child-serving agency records of Virginia children in residential placements revealed that the Commonwealth had approximately 14,000 children in residential care at a cost of about $110 million dollars that year. Closer examination showed there were really only 5,000 children because most youth were being served by more than one agency with minimal collaboration between the agencies. The study further revealed that children in need of help often had to receive a label in order to qualify for assistance and thus children became defined by the system through which they entered: a welfare child; a special ed child; a juvenile justice child; or a mental health child.

This problem was presented to the General Assembly. In 1989 the Secretary of Health and Human Resources, the Secretary of Education and the Secretary of Public Safety were directed by the Legislature to develop a plan for providing and funding a minimum level of community-based non-residential services for at risk youth. Out of that directive the Council on Community Services for Youth and Families was created. The Council was comprised of 145 Virginians from the public and private sectors; experts in juvenile justice, education, child welfare, public health, mental health and substance abuse issues; Judges; local government officials; parents and child advocates. The Council was a grassroots effort.

The charge to the Council was: to improve services for youth with emotional and/or behavior problems; and to control the escalating costs of residential care for state and local governments.

The Council focused on three groups of children and their families: young children at risk of developing emotional and/or behavior problems due to environmental, physical or psychological stress; youth who have emotional and/or behavior problems and who are experiencing disabling problems in the home, community and/or educational setting over a significant period of time, and who require the intervention of more than one of the childserving agencies; and youth in residential care who have emotional and/or behavior problems.

The Council structure caused collaboration by child serving agencies on the state level and the local level.

The Council studied the problem of residential care, held public hearings and developed recommendations to the 1992 General Assembly to restructure service delivery and funding to improve care for troubled and "at risk" youth and their families. I have submitted the Council's proposal to your staff. The proposal was backed by the Governor and passed by an overwhelming margin in the House of Delegates and Senate.

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The Council awarded five grants to localities to implement creative nonresidential programs for replication. I serve as Chief Judge in one of those localities, the 16th Planning District which includes the City of Fredericksburg and the Counties of Spotsylvania, Stafford, King George and Caroline. These jurisdictions are 50 miles south of Washington, DC on Interstate 95 in Virginia. The jurisdictions are a mix of rural and urban.

I'd like to tell you how the grant has worked in our community. We have an Interagency Child Serving Board which includes the directors of the primary child-serving agencies - corrections, mental health, schools, social services and public health. There is also a parent representative on the Board. This Board is charged with the responsibility for developing and implementing grant programs for the District. The Board meets monthly.

In each of the five localities, there is a team of supervisory level persons representing the same child-serving agencies which meets weekly. These teams are called CAT teams (Community Assessment Teams). Anyone can refer a case involving an "at risk" child or family to the CAT team for a multi-discipline staffing and recommendation as to resources to assist with the problem. The Court makes frequent referrals. The child-serving agencies themselves make referrals for the invaluable input afforded by the expertise of so many child advocates. Many parents are referring themselves and their children to the team for help.

The CAT teams focus on early intervention without Court referral for these families. The team members share their knowledge and their resources. They have an "our child" philosophy. They do not label children a "welfare child" or a "mental health child" because they recognize that only through collaboration and sharing of resources can children and families be assisted.

In our community we have six grant programs in addition to many volunteer and agency programs all of which are focused on keeping the child and his family together. The grant programs are the parent aide program; homebuilder program; student aide program; alternative school program; intensive probation and therapeutic foster care. A detailed explanation of each program is attached to my remarks along with an explanation of other programs we have developed for Court and agency referral.

During the first six months under this new system with non-residential programs in place we saved over $160,000.00 in psychiatric bed days for area youth. We brought a child back from a secure residential program that cost $85,000.00 a year into a local therapeutic foster home at a cost of $9,500.00 per year. More children and families are receiving the help they need without the cost and trauma of out-of-home placements.

I serve as a member of the State Management Team which includes the cabinet secretaries whose departments deal with children and family issues. From the State level to the community level, a system for the way we deal with troubled youth in Virginia is being recreated to emphasize collaboration between agencies; sharing of resources; and empowerment of families. The beneficiary of this new system is truly the child.

VITA

J. DEAN LEWIS

Born:

May 6, 1948 in Alexandria, Virginia

Schools Attended:

Mary Washington College
Fredericksburg, Virginia
B.A. 1970

Marshall-Wythe School of Law
of the College of William and Mary
Williamsburg, Virginia
J.D. 1973

Bar Associations:

Admitted to the practice of law 1973
Virginia State Bar
Virginia Bar Association
American Bar Association
Virginia Trial Lawyers Association

Judicial Appointments:

1976	Appointed Commissioner in Chancery, 15th Judicial District
1985	Appointed Substitute Judge for the District Courts of the 15th Judicial District
1986	Appointed by the Virginia Legislature as Juvenile and Domestic Relations Court Judge for the 15th Judicial District
1986	Appointed to Virginia Supreme Court Committee on Public Information
1989	Appointed by Virginia Supreme Court to serve on Virginia Child Welfare Services State Plan IV B Funds Committee
1989	Attended "Train the Trainers" program at NCJFCJ and selected by National Council of Juvenile and Family Court Judges as a faculty member
1989	Appointed to represent the City of Fredericksburg on the Rappahannock Area Youth Commission

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Judicial Appointments: (continued)

1990	Appointed by Virginia Supreme Court to serve on Rules of Court Committee for the Juvenile and Domestic Relations District Courts
1990/92	Appointed Chief Judge of the Juvenile and Domestic Relations District Court, 15th Judicial District; assigned to City of Fredericksburg and Spotsylvania County
1990	Elected to the Board of Trustees of the National Council of Juvenile and Family Court Judges
1990	Appointed by Virginia Secretary of Health and Human Resources Howard M. Cullum to serve on the Demonstration Grant Subcommittee for the Virginia Council on Community Services for Youth and Families
1991	Appointed Chairman of the Alcohol & Substance Abuse Committee of the National Council of Juvenile & Family Court Judges
1991	Appointed by the Governor as a substitute member of the Judicial Inquiry and Review Commission
1991	Appointed to Board of Directors of Virginia Court Appointed Special Advocate Association, Inc.
1991	Appointed by Virginia Supreme Court to the Forms Advisory Committee
1991	Appointed by National Council of Juvenile & Family Court Judges (NCJFCJ) to serve on the Packard Foundation Dependency Orientation Project - to develop a child abuse/neglect handbook for new judges
1991	Appointed by American Bar Association to be an Advisory Board Member for the ABA Center on Children and the Law/SJI project on Parental Substance Abuse: Child Abuse and Neglect Bench Book

Associations and Awards:

Member,	National Council of Juvenile and Family Court Judges, 1986 to present
Member,	Subcommittee on Child Abuse and Neglect and Subcommittee on Driving Under the Influence of the National Council of Juvenile and Family Court Judges, 1987 to 1989; Subcommittee on Child Abuse and Neglect, 1989 to 1990; Subcommittee on Dispositions, 1989 to present
Member,	Virginia Council on Social Welfare, Inc.

Associations and Awards: (continued)

Member,	National CASA Association. Started the Hanover County CASA program October, 1988 and the Fredericksburg/Spotsylvania/Stafford CASA program May, 1989; presently serve on advisory board for the Fredericksburg/Spotsylvania/Stafford program
Advisor,	Rappahannock Detention Commission and Group Home Committee
1987/88	Served on the Revisions Committee on Learning Center Standards of the Department of Corrections
1987/88 1988/89	Appointed to Hanover Schools Substance Abuse Advisory Committee
1988 to present	Appointed to City of Fredericksburg Memorials Committee
1988 to present	Appointed to Spotsylvania VPI Extension Office Advisory Committee
1988/89	Office on Youth Steering Committee Member
1989 to present	Convenor, 16th Planning District Youth Drug and Alcohol Task Force pursuant to OJJDP and NHTSA grant
1989 to present	Appointed to serve on the state-wide Board of Directors of Virginia Emergency Families for Children (VEFC)
1989 to present	Appointed as a member of the advisory board of Rappahannock Area Council on Child Abuse Prevention
1989	Received Certificate of Appreciation Award from the Governor's Council on Child Abuse and Neglect Prevention for outstanding contributions to child abuse and neglect issues in the Commonwealth of Virginia
1989	Received the 1989 Prince B. Woodard Citizenship Award from the Fredericksburg/Stafford/Spotsylvania Chamber of Commerce
1990	Received from Fredericksburg District PTA/PTSA award for dedication to youth in the 16th Planning District.
1990	Designated lead judge for Virginia on Permanency Planning, National Council of Juvenile and Family Court Judges.
1990	Received Rappahannock Area Community Services Board "1990 Alcohol & Drug Abuse Distinguished Service Award"
1991	Received "Distinguished Service Award" for dedication in promoting a drug-free environment from the Commonwealth Alliance for Drug Rehabilitation and Education (CADRE)
1992	Vice Chairman, City of Fredericksburg Memorials Commission

Associations and Awards: (continued)

Member State Management Team for Council on Community Services for Youth & Families

Advisor Police Executive Research Forum

Family:

Married to Larry H. Lohman, President of Cherrydale Glass Shops, Inc.

Son, Gregory S. Lohman, born July 22, 1966.

Grant Programs
The 16th Planning District obtained a grant from the Council on Community Services for Youth and Families to initiate local programs which promote dysfunctional children remaining in the home. The following programs are part of the grant.

Each locality (City of Fredericksburg; Counties of Caroline, King George, Spotsylvania and Stafford) has a CAT team (Community Assessment Team) which meets weekly or bi-weekly to assess cases and refer same for grant programs, if appropriate. The child-serving agencies in Planning District 16 (DSS, CSB, CSU and schools) are represented by an Interagency Child Serving Board. Ultimate decision as to assignment of a grant program to a case is made by the Interagency Child Serving Board.

The programs are:

1. **Parent Aide Program** - A minimum of six new Parent Aides provide direct in-home assistance to families experiencing difficulty in managing the child, ages 0-21, at risk of residential placement. The Parent Aide assists with family management, child development and child discipline issues. The Parent Aide will be an advocate for the family conducting home visits, transporting to school and social/recreational outings, assisting with basic problem solving and living and interpersonal needs. Contact: Georgette Cromartie 659-8720

2. **Homebuilder Program** - This program provides direct intensive therapeutic interventions and case management services for families with children under 21 years of age, who are at imminent risk of out-of-home placement. The service is provided in the family's own home.

   The primary goal of this position is to preserve the family unit preventing unnecessary placement of children, child abuse and neglect.

   This program provides an individualized service plan from detailed intake and assessments. Intensive home visits focus on parenting skills, empowering the family to reach its potential.

   This position works closely with emergency, psychiatric, medical services within the Community Services Board and with school aides, newly created, as a result of this grant and other service providers. The Homebuilders function also as case manager, linking to and coordinating with other service agencies and the family. Contact: Suzanne Pickett 372-6871

3. **Student Aide Program** - The Student Aide Program, under the supervision of Fredericksburg City Public Schools,

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provides trained student aides to special education and regular classroom teachers and identified children returning from residential placement. The children served by this program are emotionally disturbed, socially dysfunctional and/or behaviorally disordered as a result of substance abuse, mental illness or seriously dysfunctional families. This program assists teachers in providing individualized supervision and instruction to special needs children targeted by the Demonstration Grant. Regional school systems hire, train and coordinate supervision of personnel employed by this program. A total of 4 Student Aides will be hired by FY 1991 and 6 during FY 1992. Contact: Mary Burton 372-1127

4. **Alternative School Program** - The Alternative School Program serves up to 3 youth whose current educational placement is not in the regular school setting. This newly created educational program helps assure that the delivery of services occurs within the child's community, affording him/her a continuum of care in relation to other aspects of this grant application. In addition to this educational service available to the student, job training and placement services including recruitment assistance, intake, assessment/screening, remedial action, counseling, job search assistance, job development and referral. Job placement and follow-up may be provided. The services are available during the regular school year and on an as-needed basis through summer months. Fredericksburg City Schools has contracted with Employment Resources, Inc. to deliver the services to the identified youth throughout Planning District 16. Contact: Mary Burton 372-1127

5. **Intensive Probation** - This program will provide intensive probation supervision to ten identified children in Planning District 16 under age 21 who are at risk of residential or institutional care due to emotional disorders, experiencing disabling problems in the home, community and/or educational setting.

   The goal of the Intensive Probation Supervision Program will be to reduce the number of high risk and residential care youth placed in residential or institutional care. This program will enable a Counselor with a maximum caseload of ten to work more intensely with the client, family and other professionals. Traditional probation caseload is 25-30. Contact: Court Service Unit 372-1068

6. **Therapeutic Foster Care** - Therapeutic foster care is a vital part of a continuum of services designed to provide a less restrictive environment. These services will be

contracted through Catholic Charities of Richmond.

Therapeutic Foster Care is a program using specially trained foster families to provide treatment for emotionally disturbed children and adolescents. The purpose of the program is to offer a therapeutic community based alternative to institutional placement for seriously emotionally disturbed (SED) youth. Therapeutic Foster Care is part of the continuum of care for SED children who cannot be treated in their own homes, who are too disruptive to be contained within regular foster homes and who could potentially require institutional care if alternative treatment programs were not available.

The most unique aspect of therapeutic foster family placement is its emphasis on the therapeutic parent as the main agent of treatment rather than as a care giver only. The foster parent works with the child to help him/her accomplish specific targeted behaviors and foster social and emotional development. Therapeutic foster parents also provide more traditional parenting duties, such as transportation, guidance support, advocacy and arranging for the child's involvement in community activities and groups.

The goal of this program is to contract with Catholic Charities to recruit and train 5 parents for foster homes in FY 1991 and 6 in FY 1992. Contact: Andrea Mervin, RACSB 372-6871

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PROGRAMS FOR COURT REFERRAL

I. **Big Brothers/Big Sisters**
A referral to this agency is especially helpful in the situation of a single parent family. This program is an excellent tool in building a child's self esteem. Contact: Rappahannock Big Brothers & Big Sisters 371-7444

II. **CASA**
There is a Court Appointed Special Advocate program in the Fredericksburg area serving the City of Fredericksburg, and Stafford and Spotsylvania counties.

The CASA's duties are:

1. Assist the child's guardian ad litem in investigating an appropriate disposition of the case by the Court;
2. Advocate to the Court for the child's best interest and be a friend to assist the child through the Court process;
3. Mediate with all parties an agreed resolution of the case whenever possible;
4. Monitor the child's progress and compliance with the Court Order by all parties after the initial Court hearing.

Since studies reveal that many abused and neglected children become CHINS children and later delinquent children without appropriate intervention, CASA is considered an important prevention program nationwide. Contact: Beverly Evans 372-1159

III. **CASA Mentor Program - KIND**
This is a cooperative program between the Friends of the Juvenile Court and the Rappahannock Juvenile Center. Whereas CASA's deal primarily with abused/neglected children, the CASA Mentor is assigned to work with an adolescent who is before the Court on a minor delinquency case or a CHINS case. The CASA Mentor is especially trained in parent/child mediation and community resources for adolescents. The CASA Mentor will advocate for the adolescent child and will have the same training and responsibilities as the CASA. After the youth leaves the Detention Center, the Mentor will provide adult guidance and support. Contact: Kristin Van Tine 371-4727 or Beverly Evans 372-1159

IV. **Child Development Center**
The Health Department provides CDC for evaluating area youth

who are at risk. The evaluation includes a psychological, sociological and medical evaluation. Contact: Child Development Center 899-4025

V. **Community Service Program**

The 15th District Court Service Unit has a community service program in which a child is assigned to work for a nonprofit organization as part of his penalty.

We often find that the "employer" and the child develop a good relationship, building the child's self esteem and sometimes leading to compensable employment at a later time. The youth are graded on their performance. When youth, probation staff, and victims are in agreement, the youth in the 15th District have been assigned to work for the victim in lieu of paying cash restitution. Contact: Court Service Unit 372-1068

VI. **Employment Resources, Inc.**

This program assists youth in locating employment opportunities and facilitates the "Summer Youth Employment and Training Program". Contact: Joan McLaughlin 372-6710

VII. **Grant Programs**

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   This program provides an individualized service plan from detailed intake and assessments. Intensive home visits focus on parenting skills, empowering the family to reach its potential.

   This position works closely with emergency, psychiatric, medical services within the Community Services Board and with school aides, newly created, as a result of this grant and other service providers. The Homebuilders function also as case manager, linking to and coordinating with other service agencies and the family. Contact: Suzanne Pickett 372-6871

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(12/91)

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The goal of this program is to contract with Catholic Charities to recruit and train 5 parents for foster homes in FY 1991 and 6 in FY 1992. Contact: Andrea Mervin, RACSB 372-6871

VIII. **Independent Living Program**
The Department of Social Services offers training and assistance for older teenagers in independent living skills in situations where the child must leave his family and maintain his/her own household. RACSB offers a structured living program for qualified adolescents with mental illness, retardation or emotional disturbance problems. Contact: Department of Social Services (Fredericksburg 372-1032; Spotsylvania 582-7065; Stafford 659-8720; Caroline 804-633-5071; King George 703-775-3544)

IX. **Individual/Family Counseling**

1. The Court Service Unit of the 15th District has three family counselors and a court psychologist on staff. The Court Service Unit is limited to CHINS and delinquency cases in making these referrals. Contact: Court Service Unit 372-1068

2. The Rappahannock Area Community Service Board offers individual and family counseling. The Court refers all custody related counseling to RACSB unless the parties choose to retain a private therapist. Contact: RACSB 373-3223

X. **Law Related Education or "Street Law" Program**
The 15th District Court Service Unit offers an eight week program of classes. The classes are held weekly and each is a 2 hour session. The class teaches moral, ethical and legal values through peer group discussion facilitated by a teacher. The classes conclude with a mock trial presented by the students with the aid of local attorneys and the Judges. The parents sometimes serve as members of the jury in the trial. Contact: Court Service Unit 372-1068

XI. **LINK**
Project link is a perinatal substance abuse program for pregnant and post-partum women and their infants. The program provides transportation, child care and other services required by women seeking treatment for substance abuse. The program is funded through an interagency grant administered by Rappahannock Area Community Services Board Contact: 373-6374.

XII. **Mary Washington Hospital Community Services Program**
The 15th District Court Service Unit and Mary Washington Hospital jointly sponsor a community service program at the hospital's emergency room.

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A teen driver involved in a serious or accident-related driving charge is required to complete 40 hours assisting in the emergency room at Mary Washington Hospital.

In addition, Mary Washington Hospital donated funds to the Court to purchase anti-drug video tapes for the driver's license ceremonies. Contact: Court Service Unit 372-1068

XIII. **Mediation Program/Alternative Dispute Resolution**
The area has a non-profit mediation group, Rappahannock Mediation Center which accepts court referrals ranging from custody to restitution cases, including a new parent/child mediation program. Contact: Rappahannock Mediation Center 372-7740

XIV. **Mother/Mentor Program**
Because it is difficult being a mother and a teenager at the same time, RACSB has developed a program to match pregnant teenagers or new moms with an experienced volunteer mother.

Volunteers meet with their teen once a week offering support and parenting skills while focusing on the development of the infant.

Volunteers encourage positive interaction and stimulation with mom and her baby, birth to 18 months.

Volunteers answer questions and show the mom different activities to do with the baby to help each baby reach his/her fullest potential. Contact: Joanne Price 371-2712 or 373-6374

XV. **Office on Youth**
The 16th Planning district established an Office on Youth in July, 1989 with the mandate to be a central coordinating agency for youth programs; to be a youth information and referral source; and to be the lead agency in advocating for area youth. The Office on Youth has published a directory of area youth/family resources. Contact: Cynthia Hunter 372-1149

XVI. **Outreach Detention-Homebuilder Model**
The Rappahannock Detention Commission and the 15th District Court Service Unit offer a new program in the City of Fredericksburg and Spotsylvania counties called "outreach detention".

There are two counselors serving the jurisdictions providing intensive supervision and family based services to a caseload for each counselor of four children and their families

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with ten hours per week spent in the child's home in an attempt to rehabilitate the family unit and keep the child from being placed out of the home in a secure detention facility. The program is available to CHINS and delinquent youth, including diverted youth. Contact: Court Service Unit 372-1068

XVII. **Parenting Skills Classes/Nurturing Program**

1. The Stafford County Department of Social Services received a grant to offer parenting classes in the Fredericksburg area. These are classes developed for parents of children of all ages and specialized parenting classes for children of special needs. Contact: Georgette Cromartie 659-8720

2. Rappahannock Area Community Services Board offers a similar program to foster nurturing skills. Contact: RACSB 373-3223

3. The Rappahannock Area Better Beginnings Coalition through RACSB offers a video-based parent guidance program entitled "Active Parenting of Teens". Training consists of six two-hour sessions. The format features video segments interspersed with group discussion and processing led by trained volunteers. Contact: Sharon Bos 891-1227 or Nancy Ronckouit 373-6374

XVIII. **Probation Review**

The Judge meets informally with eac child placed on probation, his parents and his probation officer. The meetings are held every three months in the Judge's office. In this way, the progress of the probationer is monitored closely by the Judge and the probationer must account for his behavior, his school attendance and grades directly to the Judge. He is complimented on his progress. Contact: Court Service Unit 372-1068

XIX. **Rappahannock Goodwill**

The area has a non-profit corporation which assists youth in securing vocational skills, GED and job placement. Contact: Rappahannock Goodwill 371-3070

XX. **Rappahannock Security Center Tour/Detention Center Tour**

The 15th District Court Service Unit conducts tours for intake and court referred teens at the Rappahannock Security Center (adult regional jail) and at the Rappahannock Juvenile Center (youth detention facility). The youth are shown what the result of a life of crime can be. Contact: Court Service Unit 372-1068

XXI. **§16.1-286 Residential Placements and Family Based Services**

Many emotional and/or learning disabled youth are unable to be treated within the community. Based upon the nature of the child's problems, a private residential placement is arranged through the Court Service Unit or social services and is paid for by the State when appropriate. Parents are required to reimburse the Commonwealth to the extent of their financial ability. Semi-annual progress reports are sent to the Court by the residential facility and Court holds semi-annual hearings to review the child's progress.

Some of these youth can remain in the home with the treatment efforts offered by the family based services programs. These programs use a team treatment approach in the home working with the child and his family on an intense, ten hour per week basis. These services are also paid for by the state pursuant to §16.1-286. Contact: Court Service Unit 372-1068

XXII. **Ropes and Initiative Course**

A ropes and initiative course was aquired through a donation by a local business man secured by Mary Washington Hospital. The course is installed on property owned by the Rappahannock Detention Commission. The ropes and initiative course is an outdoor experience designed to foster self-discovery, confidence, teamwork, communication and group process skills. The course consists of a carefully structured, graduated series of events incorporating physical and social challenges. Instructors are trained agency personnel and volunteers. This program was developed by the partnership efforts of the Court Service Unit, YMCA and Mary Washington Hospital. The course is managed by the Office on Youth and Court Service Unit. All area youth are welcome to participate.

The program is especially effective with ED/LD students and children at high risk for substance abuse. Contact: Cynthia Hunter 372-1149 or Court Service Unit 372-1068

XXIII. **Substance Abuse Evaluation and Treatment**

1. Both the Rappahannock Area Community Services Board and the 15th District Court Service Unit have adolescent substance abuse therapists on staff. The Court makes frequent referrals to these agencies for a substance abuse evaluation on a child and/or his parents prior to disposition in a case. In this manner the Court is able to order treatment, if needed, to help the youth and/or his family in their rehabilitative efforts. Contact: RACSB 372-3223 or CSU 372-1068

2. The Rappahannock Area Community Services Board, Court Service Unit and the Rappahannock Juvenile Center are implementing a program whereby youth referred to these

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agencies will be administered a substance abuse screening test developed by NIDA (National Institute on Drug Abuse). If the child tests to be at high risk for substance abuse, the child will be referred to the appropriate program for treatment and rehabilitation. Contact: RACSB 373-3223 or CSU 372-1068

3. The Court Service Unit has developed a group substance abuse program whereby the child meets with his/her group twice a week for 12 weeks and the children's group and parent's group meet jointly once each week. Some groups are educationally focused and some are therapeutically focused. Contact: Court Service Unit 372-1068

4. The ASAP program offers a program especially designed for the underage drinker/driver. Contact: ASAP 371-9014

5. The Rappahannock Area Community Services Board developed a substance abuse homebuilder program. This worker goes into the home of the family to work on substance abuse problems one-on-one with family members in their environment. Contact: Substance Abuse Homebuilder 373-3223

XXIV. **Support Groups:**

1. **AA** - Alcoholics Anonymous
   a. Meeting for adults
   b. Meeting for teenagers
   Contact: 373-6876

2. **Adult Children of Alcoholics** - Support group meets every Monday at 7:30 p.m. Fairview Baptist Church, Littlepage and Charlotte Streets

3. **Codependents Anonymous** - Support group meets every Tuesday at 7:30 p.m., Peace United Methodist Church, 801 Maple Grove Drive.

4. **Families Anonymous** - A support group for friends and family of people with drug, alcohol or emotional problems, meeting every Thursday at 7:30 p.m. Brooks Park Activity Center, 60 Butler Road 786-3786

5. **Parents Anonymous** - Parents Anonymous is a self-help, support and education group designed to assist parents that have verbally, emotionally or physically abused their children or for parents who believe themselves to be at risk of being abusive toward their children. The group is facilitated by specially trained volunteers who offer support and encouragment to these parents as

they search for constructive alternatives to life's problems and learn skills for coping that avoid any use of abusive behavior. The parent group meets on a weekly basis, with childrens' group meeting concurrently. The children's group is designed to provide an educational/ activity experience for the children to promote their compliance with changes that their parents are working on in their group. Contact: Court Service Unit 372-1068

6. **Step by Step Al-Anon Family Group** - Support group meets every Tuesday, 8:00 p.m. at Salem Baptist Church, 404 Plank Road

7. **Tough Love Support Group** - For parents experiencing serious problems with their teen-age children, meeting every Tuesday at 7:00 p.m. at Summit Presbyterian Church, Shelton Shop Road. Contact: Mike Mastropaolo at 372-1068 8:00 a.m. - 6:00 p.m. or Hotline, 371-1212

XXV. **Traffic Safety Seminar**
Most youth drivers are involved in traffic charges because of inexperience. The Court offers a Traffic Safety Seminar which requires the young driver and parent to take a class as a "team" to address the common problems for the new driver. There are nine hours of in-class training and five to six hours of behind the wheel training involved in the program.

The child and parent each earn five good driving points for their DMV record by taking the class. The class costs $45.00 and is approved by DMV. Contact: J&DR Clerk (Fredericksburg 372-1072; Spotsylvania 582-7129; Stafford 659-8774; King George (703)775-3490; Caroline (804)633-9550)

XXVI. **United Way Volunteer Program**
The Rappahannock United Way has set up a program to recruit volunteers for United Way agencies and Court affiliated programs. The volunteers will be matched to the right program as a result of their interests and time restraints. Contact: Rappahannock United Way 373-0041

XXVII. **Volunteer Emergency Foster Care**
VEFC offers an invaluable resource to the Fredericksburg area, especially in aiding CHINS children and their families by providing the child with a place to stay while the situation at home has a period in which to "cool down" and the family and child can work on their problems without the intensity of living under the same roof. Contact: Court Service Unit 372-1068

(12/91)

XXVIII. **Volunteer Visitation Center**
Fredericksburg Department of Social Services has decorated a room at the Courthouse (701 Princess Anne Street) and trained volunteers who, under the guidance of DSS personnel, will supervise parent/child visitations in court-ordered cases. There is a fee for this service.
Contact: Ann Reamy 372-1032

(12/91)

Chairman **Martinez**. Thank you very much. Next, we will hear from Pat McGrath. Excuse me, Ms. Peerson, you are the chief probation officer. You are Ms. McGrath's boss?

Ms. **Peerson**. Yes.

Chairman **Martinez**. We had you listed to testify. I was going to say, you have a great boss: she lets you go first. We will hear from you first. You will start the testimony, and she will finish it.

Ms. **Peerson**. Good morning. Thank you very much for inviting us here. I am Jane Peerson. I am Du Page County 18th Judicial Circuit Court Probation Chief Officer. I am here to tell you today a little bit about our home detention program. Pat McGrath, our superintendent, will tell you a lot more.

Du Page County in Illinois has a population of close to 800,000. Over the years we have successfully limited the number of juveniles who have been detained in our youth home. In recent years, however, we have seen enormous growth in the delinquent behavior of the juveniles coming in front of the court and many more serious problems than we have seen in the past.

Our youth home has the capacity for 30, and in the past 2 years we have been operating at or above capacity. We began looking for alternatives to that. In the spring of last year, we applied for a grant through the OJJDP to address this need. With assistance from Ann Sadinsky out of Chicago and Bob Johnson, who was enormously helpful to us, we designed a homebound detention program. Within this program, the juvenile court judge has the option of placing juveniles who would normally have been detained, who would have met all the requirements for detention, in their own home. One of our officers would monitor this, working with both the youth home and the family.

Across the country, and certainly in our area, we have seen the number of juveniles coming into the system increasing rapidly. We have no more space in our youth home now. We are filled to the brim. We are sending children to other county detention facilities, and we have utilized this new program to accommodate 97 juveniles in the past 10 months. These are juveniles who would have been in the youth home had we not had the program.

The role of the detention officer who supervises this is to primarily monitor and see that the orders of the court are followed. In addition to that, these officers play a role with the family. They can intervene, they can help parents who do not know quite how to deal with their child or whose reaction to the child's behavior has been part of the vicious cycle that keeps the behavior going. So they play some role in that.

We have a 79 percent success rate. We consider a success to be when a particular juvenile does not get himself or herself back into the youth home. Of the 21 percent who failed—and that sounded very high to me, except that these are children who have failed in a lot of things—the majority came in the early months when we and the juvenile court judge were learning what is appropriate, what works for these kids, and what is the best kid to put in this kind of program.

I think the success of the program can be credited to a number of things. An enormous amount of the credit goes to the woman here on my right, who put in an incredible amount of time, imagination and effort, and is the motivation behind the program. I am really pleased that she is here today to tell you about it. The others deserving credit would certainly be the three young officers who make up the program. They have a lot of energy, enthusiasm, and flexibility. We are fortunate to be blessed with a juvenile court judge and a chief judge who have been very supportive, along with the county board which has helped with a little of the funding and given us some support along the way. I am going to let Pat tell you a little more about the specifics of the program.

Chairman MARTINEZ. Ms. McGrath?

Ms. MCGRATH. Mr. Chairman and Representative Fawell, I, too, appreciate the opportunity to speak with you this morning and to attest to what some of the practical impacts of the Federal funds are at the local level.

The program that Ms. Peerson was just explaining to you is one in which, with the exception of those children who are court ordered into the program, all the youngsters served would have been detained in a secure facility had a home detention program not been available. Obviously, a secure facility like a detention home is the most strict and restrictive resource generally available to the juvenile court. Other eligibility criteria for the program includes the age of the minor, current offense as well as prior criminal record, cooperation of the minor and his or her family, and the level of supervision available in the home.

This program is based on an intensive level of direct supervision, which includes between one and three face-to-face contacts with each child, each day, 7 days a week, every day of the year. These direct contacts have been supplemented with at least one, and sometimes two or three, telephone contacts each day. The purpose of the program is to keep the juveniles in their homes, attending their area schools and participating in activities available through their own local communities.

The success of the program is largely dependent on the level of support and cooperation available from parents. The home detention staff works very closely with parents, as well as other family members, in an effort to attempt to identify problems and direct individuals and families to appropriate resources. At least one home detention officer in our program is on duty over a period of 100 hours throughout the week and on weekends. In addition, an officer is always on call for emergencies and crisis intervention services. As a result, the staff are available to address crises as they arise and thereby often avoid the escalation of problems into bigger concerns.

There are three levels of home supervision available within the program, and each varies the amount of face-to-face contacts provided, as well as the amount of outside activities which are permissible. The most restrictive level involves the utilization of electronic monitoring equipment. A juvenile can only be placed in this component through the issuance of a court order. The equipment involved, as well as the monitoring services, are provided totally with local funds and not with grant dollars in any fashion. The overall philosophy behind this program is to provide an additional alternative to the juvenile court which enables us to provide maximum services to juveniles and their families without the need for secured detention.

I want to thank you for the opportunity for us to testify here today. I have spent in excess of 20 years of my professional career in this field, and I continue to be proud of the quality of services we provide to troubled children in our jurisdiction. Some of those services come through the home detention program which is directly funded by OJJDP funds. I believe that the success of our collective efforts to work with troubled youngsters across this country is, in large part, dependent on our ability to strengthen families and local resources which enable children to remain in their homes and within their own communities. The funds for this grant have enabled us to do just that. Thank you.

Chairman **Martinez**. Thank you, Ms. McGrath. Just before I move on to Ms. Leslie, does either one of you know what the cost of detention in a secure facility costs annually?

Ms. **McGrath**. On a daily basis, it is between $100 and $125 a day for each child that is in secure custody. This program is operating somewhere between $35 and $50. So it is less than half.

Chairman **Martinez**. Well below half. Thank you.

Ms. Leslie?

Ms. **Leslie**. Good morning. I am going to have the chairman of my board, Mr. Dermody, speak first.

Chairman **Martinez**. Okay. I was going to give the employee a chance. It is not too often the employees get a chance to go before the boss.

Ms. **Leslie**. Not this time.

Chairman **Martinez**. Mr. Dermody?

Mr. **Dermody**. Thank you. Mr. Chairman and members of the committee, we are very flattered to be here today.

I heard Congressman Fawell talk about the coordination of services. Chairman Martinez, you mentioned getting involved. What we have before you is an example of a public/private partnership. We got involved. The private side and the public side, together, made a difference in the services to children in our community. This is a way, in our opinion, that your dollars can be stretched even further. I do not have answers to a lot of the questions you asked today, but we think we do have a solution to a public/private partnership that can be replicated in other communities.

My name is Michael Dermody. I am chairman of the Board of Trustees of the Children's Cabinet in Reno, Nevada. I am also chief executive officer of Dermody Properties, an active industrial developer in America. Most important for today perhaps, I believe I am the only lay person testifying before you. I want to thank you very much for this opportunity to present the Children's Cabinet as an example of a successful public/private partnership.

Approximately 7 years ago, I met with key individuals in our community, including Lou McCardy, who was mentioned earlier, and Judge Charles McGee, in an effort to do something for children. My desire was to create a home for abused children. They quickly explained to me that this was not needed; it would be nothing more than a monument and not really serve needs. Instead, they explained, what they really needed was a coordination of services that could fill the gap between the existing structure and the system.

We all became aware of the very serious problem facing children and families, how difficult it was for families to get help with parenting skills, affordable child care, and things like adolescent health care. An example of the gap in the system was a little girl who would go into probation because of a truancy problem. Often, that type of individual would be screened for psychological issues. In the formation of the Cabinet, one such incident occurred, where a young lady went through probation, was not caught in time, and killed herself in a jail cell. Psychological intervention of a multidisciplinary team early in that event would have stopped or have had a chance of stopping it from happening.

The problem we found was in the system. We needed, as we all mentioned today, to have an early intervention. We all talk about it, but here is the way we went about implementing it. We created such programs as the truancy program, parenting program, gang prevention, and later on, Ms. Leslie, our executive director, will present these to you in more detail. Our goal is to prevent a child from entering the system. This is particularly important when you realize that once they enter the system, they become a ward of the State, part of juvenile probation, or even worse, in the prison system. This is critical in a community and a State which has the second highest per capita prison population in the country.

In 1985, we established the Cabinet to fill the gaps. There were great new programs. From the beginning, it was a model of communication between the public sector and the private sector. These are people, you must understand, who never sat at the same table before. These public sector people were always too busy trying to guard their own dollars. Why would they try to coordinate and work with each other? They were into the turf battles that are always too necessary in the system we have.

Once they focused on early intervention the way we presented it, they found it was a very saleable and palatable item for them. Early intention, at its best, would provide an efficient delivery of services, eliminate duplication, and eventually save money and time. It would make their agencies do a better job, and most importantly, preserve the family units.

After the first meeting, this idea of coordinating agencies was the primary issue. We wanted to make sure that it was what was needed. So instead of going to the agency heads, going to the people like those in this room, we went down to the trenches. We sent out questionnaires and asked the line workers, people in the trenches, what was needed. The response that came back was: "We need coordinated services." What we decided to do was create a centralized clearinghouse where people could come to serve all of their family needs.

It soon became apparent, and this is the key to our program, that part of the real power in this organization was not the private sector, but the public sector. The reason was that the public sector had the dollars. When the local public agencies were shown how early intervention would work, they were more than willing to loosen up with their dollars and provide funding for needed programs to fill the gaps, eventually getting the benefits down at their own level.

A good example was the dysfunctional problems of a school child who could not get along at school. That is not necessarily a school district issue. That is not necessarily a truancy issue. Very likely, it could be something at home. An early intervention program would have provided for counselors to go in and meet with the parents. The issue might be between the parents, or it might be the parent and child. Particularly important to this subcommittee is that the truancy program is partly funded by us by the OJJDP through the State of Nevada joint cost sharing.

As we evolved, it became evident that we needed a central intake center. As a private person, I did not want to have a central intake center because I thought it would spend our precious funds on a monument. I wanted to spend the money on services. I wanted every dime we had to help people in the trenches. I think, in retrospect, that was a mistake. Fortunately, in 1989, through the endowment of a benefactor, we were able to design, build, and pay for the Maud W. "Jill" Walker Family Resource Center. This is a 10,000 square foot facility, located on a seven-acre site which, again through a public/private partnership, was donated to us by the local airport authority.

Here today is Sheila Leslie, our executive director, who runs this facility and should take all the credit for its success. It is run like a business. It has monthly financials. It has never been in debt. Our 1992 budget was $2 million. In 1991, we served 6,500 families; 6 years before, we did not have one direct service. Strategically, we then took the balance of our corpus and put it into an operating fund called the Children's Cabinet Foundation. This is very important for the future of this organization. Through the foundation, we segregated the money so that the funds could be used from this foundation to support the administrative costs and overhead of this organization. As we went out into the community for public as well as private grants, it was important that people could understand that we already had covered our overhead. People could give money which would go directly to services. They would not have to worry about their precious donations and funds going to overhead or administrative costs.

My original guarantee was to pay the overhead of the Children's Cabinet. As a private individual, this is the money I spent, besides all my time. Interestingly, once we got the large endowment, that part of my financial commitment went away. I still have some financial things I do with the Cabinet. Later on, I will explain to you why that is so important. I maintain that the money is not the issue here; it is initiative of getting the private sector people involved at the core of these programs. Private sector people hold the keys to open up the dollar and can efficiently use the funds that the public sector people have.

As we evolved, it became clear that we were in huge issues that would bring us before people like you today. We needed help in organizing these issues. As a board operating this organization, we could not think long term and take the long view. So we created an institute called the Children's Cabinet Institute. It is approximately 14 individuals, including the Lieutenant Governor of our State.

Their input is critical to long-range planning about the central issues surrounding children in our communities. Their chairman sits on our board because there is linkage between the two organizations.

An example of their work product is their publication of what is still today the best authoritative call-to-action plan on gangs in our community. It has 53 specific recommendations. It is a 45-page study on how to combat rising gang problems in the fastest-growing State in the Nation. Another item they are creating later on this year is a summit conference in May on Nevada's children. If anyone in this room would be available to come to it, we would welcome you. We think there we will gather the best minds in our area on children and try to get a consensus on the issues addressed.

We are all very proud of our innovative approach to forming this Children's Cabinet. Since the founding of the Cabinet, my wife and I have been fortunate enough to become parents, and we realize even more that our own children will be the recipients of the services we are providing. Sitting before you, however, I am merely the mouthpiece; I did not write this music. I am not being overly modest. It is a collaborative effort of the board of trustees, this foundation, this institute, the volunteers, and the staff. A lot of those people, like Lou McCardy and Judge McGee, are influenced by the funds that you provide from OJJDP. In these times of decreasing government funding and tremendous family needs, this type of public/private partnership structure is effectively providing us with an alternative to the funding shortfalls.

Then we come to the issue: what kind of funding could we expect or ask from an organization like yourselves for a project like this. After great debate inside our organization, we would recommend that you do not fund initial start-up money. The reason for this is that your money is so precious, and this is a grassroots effort. It is entirely a local, private initiative, in coordination with public agencies. If we could ask for funding at some point, it would be funding for specific programs like we talked about today. If you could fund those programs, I think there would be private people out there who would create these types of public/private partnerships to receive your funds.

In closing, I must admit it has been our dream to be before you today and, hopefully, to have a chance of replicating what we have found successful in other communities throughout the Nation. This is not to give us recognition but, rather, to have other communities benefit from our discoveries. Every community has the same issues. The need for collaboration and the coordination of services knows no boundaries. Plus, I believe the desire of the private sector knows no limits. Every community has a Michael Dermody like myself, someone who, once he or she understands the problem, is willing to direct their time and money to the solution. I know from a personal point of view that my biggest commitment here was time, although there was good money given to it. In the long run, that is what you need: a system that encourages private individuals to take the time, the hours and hours of meetings, to help coordinate public service money.

Every community is facing similar problems, and every family in some way needs these services for children and families. That is not going to diminish. The only way to successfully manage the issue is to address the problem and early on through an active early intervention program, a public/private partnership. This, in turn, will reduce the cost in years to come. When a program is established, if there are cost-sharing funds that can be provided for specific programs from Washington, it will allow for things like early intervention. That is the kind of help that the children of our Nation need. I want to thank you for giving us the opportunity to be here.

[The prepared statement of Michael Dermody follows:]

STATEMENT OF MR. MICHAEL DERMODY, CHAIRMAN OF THE BOARD OF TRUSTEES, THE CHILDREN'S CABINET, INC., RENO, NEVADA

My name is Michael Dermody, and I am Chairman of the Board of Trustees of The Children's Cabinet, Incorporated, in Reno, Nevada. I am also the Chief Executive Officer of Dermody Properties, a leading industrial development corporation in the U.S.

Thank you for this opportunity to present the Children's Cabinet, Inc. as an example of a successful public/private partnership. We feel it has succeeded in helping children and families in Nevada. We have made a *difference* in the community.

Approximately 7 years ago, I met with key individuals, some being administrators involved with services to children. My first desire was to create a home for abused children, but after meeting with these people, I found out very quickly that was not what was needed. Their recommendations and top priority was a better coordination of all services to children in our community. More importantly, they wanted to make sure that the coordination of those services would "fill in the gaps" between existing services so that all children, no matter what the issue, could be served.

As the process evolved, we became aware of the very serious situation facing Nevada's children and families. Also, I was exposed to the different Federal, State, and public programs, and how difficult it was for families to get help, whether it be for parenting skills, affordable child care or adolescent health care. The basic problem was the "gap" in services. For example, if a young girl had a probation problem because she had violated a curfew, she was not screened for psychological issues. In fact, during the formation of the Cabinet a young adult who did not appear to be suicidal, ended up hanging herself in her jail cell. Through these kinds of incidents, we became aware that the problem was *in the system*—that you had to provide a centralized clearinghouse of services where children and families would go for help. This "early intervention" became the cornerstone of the Cabinet's success. Today we provide such services as truancy, parenting programs, and gang prevention. We continue to remain focused on an "early intervention concept" to prevent the child from becoming a part of the system. We want to *prevent* a child from entering the correction system and becoming a ward of the State, being in juvenile probation or ultimately our prison system. This is particularly important in a State that has the second highest per capita prison population in the country. In a nutshell, it is "preventative maintenance to juveniles in crisis."

The Cabinet was actually established in 1985 as a private, non-profit organization to fill the gaps between existing services to children in Nevada and to create new programs and resources for families. From the beginning, it has been a model that created new lines of communication between public administrators and private sector individuals. This kind of public/private partnership gave both sides new tools with which to enhance services to children. In fact in 1991, 29 percent of our funding was private with the balance being public including in-kind.

The Cabinet itself brings together top public administrators serving youth in Nevada, and prominent business leaders. These are people who, in fact, never sat at the same table together; people who had natural "turf" battles in guarding their own allocated share of precious funding resources. "Early intervention" is a very saleable concept to all of these agencies because it provides a more efficient service and in fact stops the duplication of services between agencies which eventually saves money and time as well as preserves the family.

After our first meeting, the idea of coordinating agencies evolved, but we wanted to confirm that this was what was most needed. We sent out a questionnaire and met with the different line workers—the people in the trenches—to see what they really thought would be needed most, and unanimously they agreed that we needed to fill the gaps between services and create a resource center for children. It would be a central clearinghouse where information could be shared, family problems identified, and the resources to solve the problem provided.

We became aware at the beginning that the real economic power at the table was not only the private sector, but also the public sector people, whose respective budgets represented millions of dollars. When they were shown the ways that coordinated efforts could derive more efficient, cost-effective services, they were willing to contribute budget dollars to help fund programs. It was no longer acceptable to catch a family after it had already broken up—what you wanted was to get counselors into the home to try to work with the family. An example is a child who has dysfunctional problems at school and can't get along. It is not necessarily a school district or truancy problem, but may be, in fact, a symptom of greater problems at home, either with the parents and child or between the parents themselves. If you have a multidisciplinary team that is focused on this type of early intervention, then the moment the problem crops up, you can assess the situation and attempt to solve it at the beginning of the spectrum, before a family is broken apart.

As our programs evolved, it became clear that we needed a centralized intake center, what would later be known as the "Family Resource Center." It was hoped that this would be a place where every family in the community could come for assistance. I personally fought this concept wishing to spend our dollars more for programs and not for a "monument." In retrospect, however, I think this was wrong. I think if we had constructed a Family Resource Center at the very beginning, it would have expedited our delivery of services even quicker. Fortunately, in 1989, we received an endowment gift which enabled us to design, build, and pay for the centralized Family Resource Center. It is now called the "Maud W. 'Jill' Walker Family Resource Center" named after the benefactor. The facility currently houses 28 public and private staff members from the various disciplines and agencies serving children in our community. It is located on a 7-acre site that was donated by the local Airport Authority. The entire facility is 10,000 square feet and at the end of fiscal year 1991, over 6,500 families had received services through it. Bear in mind that this is an organization that delivered no direct services to families just 6 years before. It is run like a business with monthly financials and to date has never been in debt—our 1992 budget is $2,000,000 administered by Sheila Leslie, our Executive Director. Sheila is here today and should be given great credit for the success of this facility. She will give you more specific information regarding the services provided as well as what is outlined in our 1991 annual report, which you have received.

Strategically, we placed the surplus of our endowment of approximately $1,200,000 into a separate organization called the "Children's Cabinet Foundation." This Foundation is directed by five independent business people in the community with the sole purpose of providing operating administrative expenses to the Children's Cabinet. This protects our operating capital from any liability and also allows it to be managed by professional money managers in the independent Foundation. Most importantly, though, potential donors realize that our overhead for administrative costs are guaranteed and funded by the Foundation, and their contributions go directly to serve children. This helped on private donations, and also on the Federal grants that we pursued. It is unusual in the non-profit arena to be able to write grants and contracts with your overhead guaranteed. Originally, my personal guarantee to the Cabinet was to fund the overhead so that all dollars given went directly to services. Obviously, we have an excellent staff to be this successful, but contributions to pay salaries are very difficult to obtain.

As our public/private partnership developed, we discovered there was a need to have a high-level "think tank" of community leaders that would study a broad cross-section of children's issues and provide recommendations to the Board of Trustees. Based on this philosophy, we created a Children's Cabinet *Institute* of 14 community leaders which is a think tank for children's issues in our community. These people were chosen on a competitive basis and includes such notables as the Lt. Governor of our State. Their input is critical to our long-range programs since they have the time to think up creative solutions to many of the problems we face. Their Chairman sits on the Board of Trustees for the Children's Cabinet itself, so there is continuity and linkage between the two organizations.

An example of the Institute's work is last year's 45-page study of Nevada's youth gangs which outlines 53 *specific* recommendations for community action to combat the crisis in our State. To date, it is the most authoritative "call to action" plan on the subject in the State. Further, this May the Institute will host a Summit Conference for Nevada's children to bring policymakers together to share planning information and develop a common consensus of action that might be taken.

We are all very proud of the innovative approach that the Cabinet has taken to serve families and children in our community. Since the founding of the Cabinet, my wife and I have become parents ourselves and the issues are even more acute to us as we realize our own children will grow up in the community the Children's Cabinet serves. Sitting before you, however, I am not the one to take the credit—I'm merely the mouthpiece. I didn't write the music. The real credit goes to all the other members of the Board of Trustees as well as the Institute and Foundation members and the staff, including the many volunteers. In these times of decreasing government funding and tremendous family needs, the public/private partnership structure effectively provides for us an alternative to funding shortfalls. In speaking to you today, I obviously wanted to address the question of the level of funding that could come from Washington to help projects like this. It is our opinion that you do *not* fund the initial start-up money for programs like this. These are grassroots local programs designed by private and public individuals to service the needs of a particular community. Federal funding with excessive strings would limit and inhibit the private initiative to create such organizations.

However, we would encourage you to have a joint funding program established that would provide specific funds for targeted programs under the umbrella of successfully established public/private partnerships with proven track records. That way the funding could go directly to the actual programs and services that are delivered. Much like the public/private partnership, maintaining a joint local and Federal funding program with incentives would greatly benefit services to our children.

In closing, I must admit it has been our dream to have the Children's Cabinet model replicated in other communities throughout the Nation. Not for recognition, but that other communities may benefit from our discoveries. The need for collaboration and coordination of services between public agencies knows no boundaries. Plus, I believe the desire for the private sector to help knows no limits. Every community has a Michael Dermody who, once he or she understands the problems, is willing to direct their time and money to the solution.

At this date, we have been invited to expand to the largest metropolitan area of our State, Las Vegas, in order to share the model with their community and develop a statewide voice for children's needs. We have also been approached by other communities in California who want to benefit from our model. I know from a personal point of view, the foundation of any program is not private sector money, but rather the private sector time of people of influence. There are dollars in many of our communities to make these kinds of organizations possible, but it takes private sector initiative and time to ferret out the efficient use of those dollars to make the dream come true.

Every community is facing similar problems. Every family has a need in some way of these services for children and families, and it's not going to diminish. The only way to successfully manage the issue is to address the problem early on through an active early intervention program that in turn reduces costs in the years to come. When a program is established, if there is cost-sharing funds that can be provided from Washington for specific programs that allow for things like early intervention—that kind of help is the help the children of our Nation can use.

Thank you for asking us here today.

Chairman MARTINEZ. Thank you.

Ms. Leslie?

Ms. LESLIE. Thank you. It is indeed a pleasure to be here today. I truly appreciate this opportunity because I almost could not be here. We are a member of the National Network of Runaway and Homeless Youth Services. I am the Chair of the Western States Youth Services Network and have a seat on the national board. We are having a board meeting this weekend that I had intended to go to, and I had a nonrefundable ticket. Trying to get American Airlines to change the ticket was really a problem. I had Roger calling, I had Michael Dermody's secretary calling. Finally, American Airlines said, "Okay, but we will charge you $100 extra, and you have to go to the airport to get your ticket changed."

I went and told the lady my sad story. She said, "Yes, yes, but we have these rules." I said, "I am a nonprofit agency," and she said, "Yes, yes. We have these rules." So I gave her our credit card finally, and she said, "Oh, you're with the Children's Cabinet?" I said, "Yes, I am." She tore up the slip right in front of my eyes at Reno Airport. She then told me her sad story about her stepson who had been picked up for truancy and brought to us. She named the counselor who had helped her. She said how wonderful we were, and it just made my day. I got my ticket changed, and I am here today because of this wonderful ticket agent at American Airlines and the wonderful work of our staff.

Our juvenile court judge, Judge McGee, often tells me I have the best job in the world because I get to see the system change and at the same time I get that direct contact and feedback from families that we have helped. I have had teachers chase me down in my aerobics class saying, "Wait. Come back here. I want to know how to get services for this kid." We have people within the system calling our agency saying, "How do I get my own agency to provide this service?" I can quantify, in story after story, what Michael has told you. Having the private sector interact with the public agencies really has made a difference in our community.

We also believe strongly in advocacy. We believe that children need a voice. This has gotten us into a lot of trouble sometimes with our Governor and with other public policymakers. I want to point out that Roger McClellan sitting up there was the chief researcher behind one of our troublemaking efforts and that is Children, Our Most Precious Resource? It was a book we published in 1989 for the legislature. I know Michael here also had quite a bit of criticism for that effort within the business community. They said, "Why are you saying what a horrible State Nevada is? Here we are, the fastest growing State in the Nation, trying to attract business, and you are telling people that we also have the highest juvenile incarceration rate in the Nation except for Washington, DC. You are telling people about our high child abuse rate? What are you thinking?"

Chairman **Martinez**. Washington, DC, has the highest?

Ms. **Leslie**. I believe so. A small State like Nevada is number two.

Chairman **Martinez**. There is a contrast. You see how densely populated Washington, DC is and how sparsely populated Nevada is.

Ms. **Leslie**. It is a per-capita statistic.

Chairman **Martinez**. Most people have it in their mind that the problem with juveniles and juvenile crime exist only where it is densely populated and congested and minority.

Ms. **Leslie**. Right, and if there are no services. Our State's response traditionally has been to lock up kids instead.

One of our hallmark programs that I would like to describe just briefly for you is our truancy center, which has received funding through OJJDP. This program was developed by a public/private task force that we set up to look at how our community could more effectively deal with the massive truancy problem we had back in 1988. We started meeting in the spring of 1988, and on the first day of school that September, we opened our doors to receive truants during school hours.

The school district gave us a full-time school counselor. Almost more importantly, they gave us a school district computer with a linkage so that we could immediately determine what the attendance records and problems at school were. The juvenile probation department gave us a full-time juvenile probation officer as well. OJJDP dollars funded a third Cabinet position. So actually, the OJJDP dollars were less than one-fourth of the total cost of the program because the Cabinet then provided all the administrative and office supplies and all those kinds of costs. We have three different law enforcement agencies operating in our community, and they all sat at the same table and agreed to pick up kids and bring them to us.

We individually interview each child. We contact the parents. We have the parents come down, pick up the kid, and return them to school. At the same time, we take that opportunity to have a family conference and develop a case plan that would really make a difference for that child. We see about 1,000 youths a year through that program and have consistently over the last 4 years. These are youths who are at extreme risk of juvenile delinquency, substance abuse, and exploitation. Many are truant from school for very good reasons. They are running from abuse at home, they are being threatened by gang members, or they are just to embarrassed to wear the same set of clothes to school every day.

I have had personal experience with Hispanic families. I am bilingual myself, and we have three bilingual people at the agency. I frequently interact with the Hispanic families. We had a 6-year-old picked up from school because he was sharing a pair of shoes with his brother, so they could only go to school every other day. Once you find out about a problem like that, it is very easy to fix. The Kiwanis Club loves to buy shoes for kids in that kind of a situation. This kind of a program is very good at catching kids, determining what the problem is, and then doing something about it.

The community-based nature of our program allows us to establish individual rapport and trust very quickly with these kids and their families. When we started this, a lot of naysayers in the public sector, especially in the juvenile probation department, said, "You will never get parents to come down here and pick up their kids during the school day. These are dealers downtown. If you think they are going to take off, come pick up their kids, and take them back to school, you are dreaming. We can never get these people to come in." Sure enough, it is less than 5 percent of the families that we are unable to get down there. Part of it is because we are not juvenile probation, we are not school, we are not jail; we simply present ourselves as people there willing to help.

We have seen the daytime juvenile crime rate drop drastically since this program was implemented. Our first comprehensive evaluation, which was done 18 months after the truancy program began, documented a decrease in daytime juvenile burglaries of 64 percent. When that figure came out, our juvenile probation people said it was not right, even though they were the ones who gave us the figures. They went back and checked their computer; it had dropped 64 percent. The judges said, "Obviously, you are taking kids off the street. No longer are kids unchallenged in Reno. No longer do they hang out at Circuit Circus during the school days, feeding the video machines. So please go there." They bring them to us and, hopefully, something else happens.

School attendance has risen by nearly 7 percent over the past 4 years. In schools, that is a tremendous statistic. It does not seem like much, but it translates into a lot of extra money for our local school district. The dropout rate in our county has actually decreased several percentage points in the last few years. We are not taking all the credit for this success, but we believe certainly we played a key role in getting the community working around an identified local problem and coordinating a solution that worked.

Many of our other services have developed right out of the truancy program. One example is our RAD, Reach for Academic Difference, tutoring program where we find community volunteers who tutor kids individually, at the school site again, 1 hour each week. This program has had tremendous success in keeping kids in school.

We coordinate and offer a number of parenting education classes in our community, in English and Spanish, for many different family structures. We maintain a very high media profile, appearing on television and radio programs constantly. We even write a weekly parenting column in English and Spanish for our local newspapers.

One of the most valued services that we offer is free short-term family counseling. The mental health system right now in Reno, if you want family counseling, has a 6 months waiting list. The counselors charge $80 to $100 an hour. The families simply cannot access the system to get this kind of counseling. Our own waiting list is now getting up to over a month, which we feel terrible about. One of the things that we have done is gone to the University of Nevada at Reno and gotten them to agree to provide supervision for postgraduate counseling interns, people who already have their masters and who need hours for licensure. These people give us additional free family counseling hours.

We have even developed an agency within an agency, the Child Care Resource Council. This group has its own policy board of committed volunteers who oversee its services, which include providing the public with referrals to licensed child care and administering subsidy funds from the new Child Care and Development Block Grant for all 16 counties in our State except Clark County, which is Las Vegas. We provide free space, administrative support, and supervision to this mini agency. We are trying to allow them to get established and eventually spin off to become their own nonprofit entity.

Other Cabinet services include a large family preservation program, which provides intensive home-based services. Again, this is where the public/private partnership works. Our public agencies refused to develop this program. Even though Homebuilders has been around for years, it takes a while for things to get to Nevada. Our public agencies said, "No. This program is too risky. We do not care if it has worked in other States. We are not going to do it." So the Cabinet decided to try it. We said we would take the risk and try this program. In just over a year and a half, we have had a 94 percent success rate in keeping families together and children safely at home. Even in our tough budget times, our Governor gave us two more staff positions because he could justify it through the dollar savings in foster care. So it is a program that truly has worked.

We have a homeless youth advocate who works with families who are living in Reno's pay-by-the-week motels and campgrounds. We have uncovered just terrible situations. We work jointly with the school district to try and keep those kids in school so that at least school becomes a safe place for the homeless children to be. We have a youth gang prevention program, based in one of Reno's high-risk neighborhoods, and several after school activity programs targeting high-risk youth.

We do all this with 26 full-time equivalent staff. We have an incredible corps of volunteers from all over the place. I think you received our 1991 annual report where we document over 25,000 volunteer hours last year alone. Our funding is a mixture of public and private funds. Last year, 49 percent of our budget came from public sources, 29 percent from the private sector, and 22 percent was in-kind. Remember, we have full-time public staff members who work for us. Their salaries are paid by the school district, by probation, but they come to work every day for me. Our budget for 1992, as Michael said, will reach nearly $2 million.

We have been asked to replicate our model in other communities in our State. This year alone, we have opened neighborhood offices in the rural part of our county, which is Incline Village, Lake Tahoe, known to be a very beautiful community with a lot of high-income people living there. Unfortunately, there are a lot of low-income people living just over the border, in California, working in the Nevada businesses. So we are looking at trying to serve those families more effectively through the Incline Village office

By summer, we will be established in Las Vegas. We have begun negotiations with public and private leaders in our State capital, Carson City, to open an office there before the end of the year. All of these offices have local policy boards who determine how the local service delivery system can best address the critical issues in each community.

Our 3-year plan calls for more work around the issues of adolescent health care, parenting education, neighborhood based services, and the exportation of our model.

We are committed to this idea of keeping children safe and families together, and we look forward to a continued partnership with the Federal Government to make that goal a reality for all children in Nevada and our Nation. Thank you.

[The prepared statement of Sheila Leslie follows:]

STATEMENT OF SHEILA LESLIE, CHILDREN'S CABINET, RENO, NEVADA

Mister Chairman, members of the committee:

I am Sheila Leslie, the Executive Director of the Children's Cabinet, a private non-profit agency based in Reno, Nevada. I appreciate this opportunity to tell you about the services we have provided to our community over the past 5 years.

The mission of the Children's Cabinet is to create a lasting community-wide cooperative effort between the private sector and governmental agencies to address the needs of children and their families. Our philosophical approach to services is family-focused and oriented towards prevention and early intervention.

One of our hallmark programs, which has received seed funding through the Office of Juvenile Justice and Delinquency Prevention is the Truancy Center. This program was developed by a public-private task force, set up to determine how our community could more effectively deal with the problem of truancy and juvenile crime.

We began meeting in the Spring of 1988, and on the first day of school that September, we opened our doors to receive truants during school hours. The school district provides a full-time counselor and a linked computer so we are able to instantly check attendance records and access emergency numbers for parents.

The juvenile probation department contributes a full-time officer and OJJDP dollars fund a Cabinet position to coordinate the program.

The three law enforcement agencies operating in our community agreed to stop any youth they saw on the street during school hours and bring them to our centralized center. Our workers individually interview each child, and contact their parents who are asked to come down to the Center immediately for a family conference. Then, the parents return the child to the school. Follow-up contacts ensure appropriate services are accessed.

We see about 1,000 youth a year, ages 6 through 18, through this centralized intake program. They are youth who are at extreme risk of juvenile delinquency, substance abuse, and exploitation. *Many* are truant from school for reasons that make sense: they are running from abuse at home, are being threatened by gang members, or are too embarrassed to go to school with the same clothes every day.

Other youth are in a downward spiral; they are failing in school, having problems with their peers or at home, or becoming involved in delinquent activities. They really need someone to objectively assess the situation and help them decide on a plan of action.

The community-based nature of our program allows us to establish individual rapport and trust very quickly. We work with the parents and the youth to determine a caseplan, and advocate on the family's behalf whenever necessary to enable them to access available services.

We have seen the daytime juvenile crime rate drop drastically since this program was implemented—one evaluation, completed at 18 months after the program began, documented a decrease in daytime juvenile burglaries at 64 percent. School attendance has risen by nearly 7 percent over the past 4 years, and the dropout rate in our county has decreased several percentage points in the last 2 years.

While our program cannot take credit for all this success, we believe we have played a key role in galvanizing the community around an identified local problem, and coordinating a solution that works.

Many of the subsequent services we have developed are a result of the needs we have identified by working so intensively with high-risk truant youth.

One example is the "RAD" Reach for the Academic Difference tutoring project, developed in conjunction with the Junior League of Reno. We recruit community volunteers who are willing to tutor an individual student identified by our program at his/her school site for 1 hour each week. The students must request these services and they quickly realize the tutors are unpaid volunteers who simply want to help them succeed. The program has had tremendous success in motivating high-risk youth to stay in school.

We coordinate and offer a number of parenting education classes in our community, in English and Spanish, for many different types of family structures. We write a weekly column for our local newspaper on parenting issues, and are pleased to see the column replicated all over the State.

One of the most valued services we offer is free short-term family counseling. Through a contract with our juvenile probation department we are able to provide families with up to ten sessions of counseling The demand for these services is tremendous; to address that issue we developed a partnership with the University of Nevada, Reno, to provide supervision of postgraduate counseling interns, who in turn provide us additional hours of free family counseling.

We have even developed an "agency within an agency," the Child Care Resource Council. This group has its own policy board of committed volunteers who oversee its services which include providing the public with referrals to licensed child care, and administering subsidy funds from the new Child Care and Development Block Grant for 16 counties in our State. The Children's Cabinet provides free space, administrative support and supervision to this mini-agency, allowing them to get established in the community and eventually "spin off" to become their own nonprofit entity.

Other Cabinet services include a Family Preservation program providing intensive home-based services, a Homeless Youth advocate who works closely with the school district to ensure that homeless children remain in school, a Youth Gang Prevention program based in one of Reno's high-risk neighborhoods, and several after-school activity programs targeting high-risk youth.

We do all of this with 26 full-time equivalent staff and an incredible corps of volunteers from our university, Retired Senior Volunteer Program, and the community. As you will see in our 1991 Annual Report, we received 25,274 volunteer hours last year, including a number of federally-funded VISTA volunteers.

Our funding is a mixture of public and private funds. In 1991, 49 percent of our budget came from public sources, 29 percent from the private sector, and 22 percent was "in-kind," including the contributions of public staff members.

Our budget in 1992 will reach nearly $2 million. To give you an idea of our growth over the past 5 years, in 1988 we operated on a budget of $58,000 and served 888 families. Our 1991 statistics reflect a budget of $1,075,139 and a client base of 6,573 unduplicated families.

We have been asked to replicate our model in other communities. This year we have opened neighborhood offices in a rural part of our county, Incline Village, and in a high-risk Reno neighborhood. By Summer we will be established in Las Vegas, and negotiations have begun with public and private leaders in our State capital, Carson City, to open an office there before the end of the year. All of these offices have local policy boards who determine how the local service delivery system can best address the critical issues in each community.

Our 3-year plan calls for more work around the issues of adolescent health care, parenting education, neighborhood-based services, and the "exportation" of our successful model.

We are committed to the idea of keeping children safe and families together, and look forward to a continued partnership with the Federal Government to make that goal a reality for all children in Nevada, and in our Nation. Thank you.

Chairman **MARTINEZ**. Thank you. Did you make the remark about California because you knew I was from California?

Ms. **LESLIE**. No, because I know you have a lot of interest. That is going to be a very interesting partnership because there are some California funds that we would like to access. King's Beach, up at Lake Tahoe, is a very forgotten part of Tahoe with a very large Hispanic community. It is going to be a very big challenge to see how we can use funds from both States to address the problems of that community.

Chairman **MARTINEZ**. Very good. Did you make that last remark because you think I am Hispanic? Just kidding.

You have a terrific program. Actually, all of these programs are really great. It demonstrates to us the fact that there are a lot of community-based organizations that, like yours, started private and then became a private/public partnership. There are some that were started by the public and then enticed the private enterprise to contribute.

There are several things that I find common to all of them: parent education and family unification. Those are the chief ingredients to really correcting a problem. I think Mr. Dermody remarked that a lot of the problems start in the family. If you find out what is happening in the family and correct that, you might be able to correct the whole situation.

You said that less than 5 percent of the parents came for their children. What happens when the parents don't come?

Ms. **LESLIE**. It depends. Sometimes kids are arrested for parole violations. Sometimes we must report abuse and neglect, and they are taken into the foster care system. Sometimes we call a school attendance officer and have them deliver the child home; we usually send a worker in that case.

Chairman **MARTINEZ**. So in each case, you do not necessarily call the parent? In some cases, you call those authorities you mentioned?

Ms. **Leslie**. In every case we call the parent, unless the child is alleging abuse and neglect. Immediately we can determine if the child is on probation, and we would contact the probation officer and have them come over as well. I also would like to mention that on our campus we have just opened last May a shelter for abused and neglected children. We are constructing a shelter for troubled youth that will be operated by the probation department. We will have access to immediate shelter right there on campus, which will enable us to do a lot more good I think.

Chairman **Martinez**. That is great. In the cases when parents do come, you mentioned a couple of things that triggered memories back to my earlier childhood. At one time, I was kept after school and the teacher made a very intelligent remark to me. She said, "If I keep you here because you won't do what I tell you to do, eventually somebody is going to come looking for you, aren't they?" I said, "Yes, probably my parents." Then she said, "Who do you think your parents are going to be mad at: more you than I?" Naturally, I said, "Me." He said, "Then who do you think is going to pay the consequence of that?" Naturally, I would. So I got busy and did what she told me to do.

The fact is that in those days, when I was a kid, it was more often the parent was mad at the kid for embarrassing them than mad at the authority for detaining the kid. I saw through my life a change in that. Parents get offended that the authority has interfered with whatever their kid was doing, no matter how serious that child's behavior. When these parents come down, what kind of reaction do you get from them?

Ms. **Leslie**. That is a very interesting question. We have developed some great crisis intervention skills. When we first started, parents were so used to not even being notified that their kids were missing from school that mostly the reaction was, "Oh, really? Somebody is actually telling me my child is a truant?" They were thrilled to come down. That changed over the years. We are now getting harder kids to deal with. When we first started, truancy was so rampant in our community that even good kids cut class without thinking about it. Now we have kind of wiped that out because they know they are going to get caught.

What we have are kids with more serious chronic truancy, coming from more dysfunctional families. I have stood outside counseling doors, just about to go in sometimes, because of the loud noise level coming out of there and angry parents. Our counselors have received intensive training, and they have become very adept at saying to both the parent and the child, "We are here to help you. We are going to listen to both sides. Let us help you get the school district off your back. Let us help you get this juvenile probation officer to be more agreeable. We are the neutral party."

That is how we portray ourselves in the community. We are not just there for low-income people. We are not just there for sick families. We are there for every family in the community to get help, and we serve all income levels. We were able to design, as Michael said, the Family Resource Center in a way that it is so welcoming. I would love to have you come to Reno and see it, because it does not look like the welfare office. It certainly does not look like the juvenile probation office. It is a beautiful facility.

When people walk in, they look around and say, "This is a good place to be." It is a combination of things that we use to defuse their anger and say, "Let's get off the past and let's get on a plan that is going to make a difference for your family."

Chairman **Martinez**. Judge Lewis, you say you hired a person to work with families in the home. That intrigued me. What is the reaction to that individual when he first goes into the home?

Judge **Lewis**. The program that we have is to get children out of detention back into the home or to prevent their needing to go into the detention center at all. First of all, we are generally dealing with children who have committed a crime. It has been our experience that the parents are very happy to have help, because you do not have dysfunctional children without dysfunctional families. The dysfunctional families generally understand that they are not functioning the way they want to. So they seem to buy into it very quickly. Our rate of recidivism is minute.

Chairman **Martinez**. You mentioned, although I am not sure I remember exactly, that it costs $80,000 to institutionalize one child.

Judge **Lewis**. For one child, it was $85,000. We brought her back into the community, in a therapeutic foster care setting, for only $9,500. Where she had been placed previously was way down in the south part of Virginia, nowhere near her family. Although now she is not back in her family, because they themselves have the skills to deal with her dysfunctional behavior, she is in a therapeutic foster home close to her family. The whole theory of our concept is, even if children have to be out of the home, they should at least be kept in the community so that the parents and the child can get treatment together.

Chairman **Martinez**. That is very important. You are all attacking the problem where it really needs to be attacked. Hitherto, it has been ignored. You dealt with a kid, isolated from his family. The juvenile courts were probably a great concept. I visited with judges in Palm Springs, where I sat and informally talked to them. Most of us have in our minds a stereotype of a judge, like the stereotypes we have for many other things, who sits there in his robes and makes judgments without any consideration, just out of his own gut feelings or reactions. That is not true. Judges actually put a lot of thought into what they are doing and how they decide things. They receive a lot of information.

If a kid comes in from an abused home, does he come in because he has run away? Someone here mentioned the problems of truancy and the reasons why a kid is truant. I can understand some of those reasons. You mentioned youths that did not want to go to school with the same clothes every day or youths that traded shoes. I remember one time in first grade, I went to school and I was wearing the same clothes all the time. It was during the Depression, and there were 10 kids in the family, and you didn't get a chance to launder the kids clothes all the time, trying to make ends meet and everything else. There are a lot of problems in the family.

This one teacher—and I think now, because I understood what she was doing—was trying to help. She made me take off the dirty T-shirt I was wearing and put on a clean T-shirt. There was only one problem: the clean T-shirt belonged to her teenage son, who must have been 6 foot 5, 250 pounds. It fit me like a nightgown. So there I was, wearing this T-shirt around the school grounds, which was a great embarrassment. Of course, with 10 brothers and sisters, you have a lot of them in school with you at the same time. So they were all terribly embarrassed. They raised holy heck with the teacher and made her cry. She did not understand; they did not understand.

We had a good principal at that grammar school. That woman seized the situation, took control of it, and got me a T-shirt that fit, and everything was all right for a while. But it did do something for me: I never came to school with a dirty T-shirt again, even if I had to launder it myself. It does some good, but there is a lot of friction that takes place toward achieving the right thing.

You mentioned the story about shoes. I skipped school a couple of times because we used to have hand-me-down shoes. The sole came loose, and they used to flop, flop, flop, and everybody would make fun of that. It was easy to find reasons to play hookey, too. That is another thing we have to understand with kids. There are many reasons: they have not done their homework, or they have not kept up with their studies. We must deal with that now, before it causes a larger problem. Eventually many of these truant youths drop out of school.

You say your home detention center has an occupancy of about 30?

Ms. McGRATH. The secure facility capacity is 30. The home detention program, sir, we have anywhere from 10 to 15 kids in it on any given day.

Chairman MARTINEZ. You have three modes of security in the nonsecurity detention part; right?

Ms. McGRATH. That is correct.

Chairman MARTINEZ. How many of those youths are actually in the extreme case where they are monitored electronically?

Ms. McGRATH. One out of 97.

Chairman MARTINEZ. That is great. You find that this kind of help with them keeps them from coming back, and it is a lot cheaper, too, isn't it?

Ms. McGRATH. True. It is a lot cheaper.

Chairman MARTINEZ. Or should I say less expensive.

Ms. McGRATH. You mean the electronic monitoring or the home detention?

Chairman MARTINEZ. No, the system itself.

Ms. McGRATH. It is less than half the cost. Secured juvenile detention is very costly, much like adult prisons. It is a costly alternative. Utilizing services of the family and staff by bringing them together in the community, in the home, enables the kid to stay in the community, to stay in his family, to stay hooked up with community resources and agencies that are providing good local services to the child himself and to his family. At the same time, it does not add to the financial burden on the overall court system, the placement budgets, or in detention. It is actually more effective.

Chairman MARTINEZ. I have always had a perception that when you do this, it makes the families as well as the young people involved a sense of somebody caring, somebody believing that they can do something positive rather than something negative.

Ms. McGrath. I think there are two sides to that. What we have experienced is that it not only helps the parents feel that somebody cares and somebody is there to provide some service, but it also puts them in a position where they must face the fact that they are accountable for the success of their own family and their own children. The system is not going to come in and solve the problem for them. It gives them the resources they need by providing them with training, resources, counseling and sometimes intensive treatment. But at the same time, it does not take the burden off the parents or off the family itself. It says, "We are going to sit down and solve the problem, right here, in your town, in your home." That is really, ultimately, what they want anyway.

Chairman Martinez. I have seen where people, through programs like yours, are made aware of their responsibility to their community and aware of their responsibility to family members and each other. That sort of therapy changes them a lot. It has changed their attitude and outlook about their community.

One thing that happens in a lot of disadvantaged neighborhoods is property damage: graffiti and vandalism and all that. We have seen a few instances where programs like this have actually caused that to change. In fact, a couple of you cited instances where there is a 64 percent decline in criminal activity by juveniles in a particular area. Those are all positive signals that we should be hearing up here. Those signals give us more reasons to make sure that these programs are adequately funded, or at least funded to the point that you can continue to operate the way you have been operating and maybe expand, too.

Let me ask you this. Do you, in your particular program, meet the needs of all the eligible population?

Ms. McGrath. No, we do not. As Jane indicated before, we are a circuit court of a county of about 800,000 population. For the first time in the 20-year history of our detention facility, we are now sending children to be housed in other local detention facilities because we have no room in home detention, we have no room in the secured detention program, and yet there are children who need intensive kinds of services. It would certainly be my preference to expand the use of home detention and those kinds of alternatives than to continue to simply put children in secure facilities.

Chairman Martinez. I agree with you. Thank you.

Mr. Fawell?

Mr. Fawell. When I commented upon the need for collaboration and coordination, much of what I heard here is absolutely what I had in mind.

Mr. Dermody, how did you, as a lay person, as you described yourself, a successful business person, decide to put your time and energies into creating what apparently has been a tremendously successful collaboration and coordination of a number of various entities that are interested in services and the welfare of children?

Mr. Dermody. It came from a conviction that if you put enough time into coordinating a group of people who knew more about the subject than I did, hopefully you could get some results. Originally, my thought was a home for abused children.

Mr. **Fawell**. You mentioned you wanted to go direct to the services.

Mr. **Dermody**. Yes. Then when they got together, they all very quickly said, "This is not what we need. We need to coordinate the services in this community." That was the very beginning of it. It was really their coordinated input as a group that brought about what I call a clearinghouse, almost a control tower, for children's services. I was just a catalyst who walked in. I did not have the concept in mind when I asked everyone to get together. We were searching for a better long-term solution to help children. Out of this process, and also from sending that questionnaire down to the line workers, the people in the trenches, we were told what was needed. That is how the idea came out.

Mr. **Fawell**. That is of interest. Judge Lewis, I think you had much the same kind of an experience in regard to the coordination, perhaps more locally or perhaps not. This morning, when I was talking with Ms. McGrath and Ms. Peerson, when we got talking about what you folks were doing, I began to ask questions about, "What happens when there is just a runaway, homeless youth and there is no access to your facilities because that person was not accessing the judicial entities, that person had committed no crime or misdemeanor and so forth?" Then we began to talk about much of what we are talking about here. What do you do then.

That was not your basic responsibility. You are to be lauded for this innovative idea of home-based detention for people who have access to the system. I think of the system many times. I speak as a lawyer who practiced law for 25 years before I came to Congress. The system is really much like health care providers who are caring. That is not a good analogy. All the other early intervention is more like prevention, which is worth a pound of cure. You are doing it very well where you actually need detention and secure detention in many instances.

What intrigues me the most, and I see it in my home county of Du Page County, we have nothing like what you have in Nevada or in Virginia, and we are a very wealthy community. We ought to have something like that, and that is why I was so interested in knowing what motivated you.

I was interested, too, in your saying that as far as getting the whole thing going, it was a private endeavor mostly. Indeed, the funding for administration is, by and large, still funded by private sources. I note your total of public funding is under 50 percent, 49 percent, the rest of it being private or in-kind or volunteers. That is ideal. If you look at that as a Member of Congress, I think both Mr. Martinez and myself would say, if we could work that in every State in the Union, and in high population areas certainly, it would be fantastic. It would seem to me that this is what we in Congress ought to be looking at. If I were the Administrator of OJJDP, I would be saying, "That is what we really need."

In our conversation today, we got down to the point of saying, "What really does happen to the homeless youth who is picked up but who has committed no crime whatsoever?" If the police cannot put a rap on him for some kind of an offense, they are not going to be able to have access to the services that you folks are giving. Then where does one go? Perhaps the Department of Children and

Family Services in Illinois would probably have to be called. You said there were five facilities?

Ms. **McGrath**. Shelter care.

Mr. **Fawell**. Shelter care facilities, but not a great deal is know about their access by the Department of Children and Family Services. The first effort is to try to send the child back home, which is understandable, but there is no counseling, nothing of the order of what you have in Virginia and in Nevada.

It would seem to me that as members of Congress, when you have runaway and homeless youth, and they are under HHS, and then you have a drug addict which is under OJJDP, and there is another drug addict under HHS, and the other centers which are designed for older teenagers, to try to prepare them for going out, the transitional centers. They all ought to be coordinated, it seems to me, right up to the juvenile justice probation system, where you begin to have some really serious offenders. I would go down all the way into the Head Start program. I would even go into abandoned babies who are cocaine-addicted and HIV infected, which many people are standing in line to adopt and they cannot because of the red tape, and pink tape, and blue tape. You just cannot somehow make that work, although I have a bill that is designed to try to make that work.

Coordination and collaboration are what we in Congress ought to be thinking about because we will also then access more private dollars, it seems to me, and more volunteers.

Mr. **Dermody**. That is exactly right. What got me excited about this is when I realized that I was the small businessman at the table, and the real money there was in the public agencies together. Each of them had millions of dollars. Once you put it together, the amount of money we needed to coordinate and expedite services and fill the gaps was very small relative to their budgets. In your home town, if you took the total dollars of probation, of the juvenile court, of the State and maybe the county welfare and put it together, put it around one table, you would get the money for the coordination you need. Then you supplement that with some seed money from organizations like OJJDP, and you have your system to effect change.

Mr. **Fawell**. Do you work with drug funds from the Federal Government?

Ms. **Leslie**. No, we do not receive any drug funds. One of the reasons we have not tried to get those funds is that there are many agencies in our town already working with that population. What we are trying to do is to get them to outstation some of their staff in our offices, and in fact we have been able to do that in one of our neighborhood offices. So we really try and stay out of areas where there are already services being provided. Instead, we look to how we can more effectively coordinate them.

Mr. **Fawell**. So even at this point, you do not, on your Cabinet or on the administrative staff, have somebody who is knowledgeable regarding drugs?

Ms. **Leslie**. No. I would say that in at least 80 percent of our counseling cases, drugs, including alcohol, are a factor. So all of our counseling staff are trained to deal with that issue. We do not separate it. We try not to do that. We try not to separate out: this is the drug counselor, this is that. Families come in with so many problems that we have to be able to address them all.

Judge LEWIS. May I add a point?

Mr. FAWELL. Yes.

Judge LEWIS. Through funding from the Office of Juvenile Justice and Delinquency Prevention, I was in Illinois last Thursday and Friday. We were doing training, and there were two other judges there with me. The National Council of Juvenile and Family Court Judges had a grant to do training there. We were in northwest Illinois. It was coordinated by Judge Tom Hornsby, who is secretary of the National Council. I was presenting very similar information to what I presented to you today. I then facilitated a group from Winnebago County, which is a very large area. They are moving toward collaboration. They have in place some of the teams that I talked about, where cases as staffed between agencies and there is more sharing. One of them indicated to me that it is not to the point where Virginia is now, but they believe the Governor is behind this collaboration and the pooling of resources. There is movement afoot, so there is hope.

Mr. FAWELL. Thank you very much. I think all of you have presented tremendously significant and interesting testimony. I, for one, learned a great deal.

Chairman MARTINEZ. What portion of the funds go to training juvenile court judges? Is it $3 million?

Judge LEWIS. Judge Reader knows more about that than I do. I think it is around $3 million.

Chairman MARTINEZ. And that money provides that training so that you can do those things. A lot of people do not understand that the JJDPA contains money for discretionary grants. Some of it goes for juvenile court judges and some of it goes for other things. It is that formula block grant money that goes for the innovative programs we are talking about here. What I had in mind to do in the bill, with the support of my colleagues, is to provide that any moneys above that $50 million we are getting now be designated to go toward programs with private/public partnerships that would leverage the money.

One of the things that we need to understand, and I want to make very clear here, as much for my colleagues as anyone else, is that, as Mr. Fawell says, we need to get the private dollars and the private sector involved. That is the most ideal kind of situation. Forty-nine percent public funding to 51 percent private money, as in the programs we're talking about, is unusually high compared to some of the other programs out there. The public dollar, in most instances, is much less than 49 percent. It is a very small portion of the money in these programs.

For example, in Boys Town Village, of the $359,000 budget, only $57,000 comes from Federal money. The rest was all private dollars. So the money we are providing now is leveraging other funds, but we need to leverage so much more.

We gathered this particular panel because you all provided innovative programs. I believe that a program which is innovative in one area, can be a role model for other programs across the country. I know that you're not going to be able to transplant a program in every instance, but certainly there are aspects that can be used and modified in such a way that they can be very successful somewhere else.

One of the things that I have found in traveling around the country, holding these hearings, is that there really is not enough of a national network. There are networks. The judges have one, for example. Your association has people from all over the country, and almost every juvenile judge in the country is in this organization. So you have a network of communications back and forth. And the community action groups, too, have national networks. But somehow there is a lack of coordination between the many groups.

I think that might probably or properly come out of the Office of Juvenile Justice and Delinquency Prevention, the Justice Department, if that Administrator had a little more ability to control those things. We are going to try to rectify that situation in the bill, too, so that he has the needed control to make this program efficient and effective.

Again, thank you very much for your testimony. It was excellent. We are adjourned.

[Whereupon, at 12:45 p.m., the subcommittee was adjourned, subject to the call of the Chair.]

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